THE

LAW OF MOTOR VEHICLES IN INDIA

WITH

Special Reference to the Punjab, N. W. F. Province, and Jammu & Kashmir State

BY

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To

The Motorist, the observance by whom of the law of the land highly tends to protect life and property, this book is most sincerely dedicated by the Author.

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THE
Indian Motor Vehicles Act, 1914

ACT No. VIII of 1914.

PASSED BY THE GOVERNOR-GENERAL OF INDIA IN COUNCIL.

Received the G.G 's assent on the 28th February, 1914.

An Act to consolidate and amend the law relating to Motor Vehicles in British India.

WHEREAS it is expedient to consolidate and mend the law relating to Motor Vehicles in British ıdia : it is hereby enacted as follows :—

PART I.

PRELIMINARY.

ıort title, extent d commence- ənt

1. (1) This Act may be called the Indian Motor Vehicles Act, 1914.

(2) This Act, except Part III, thereof extends · the whole of the British India, including British ʲaluchistan, the Sonthal parganas and the pargana f Spiti, Part III extends ın the first instance only to he provinces of Madras, Bombay, Bengal, the United Provinces of Agra and Oudh, the Punjab, Burma Bihar and Orissa, the North West Frontier Province and Delhi. The Local Government of any other province may, by notification in the Local Official

Gazette, extend Part III to the whole or any part of such province.

(3) It shall come into force on such date as the Governor-General in Council by notification in *The Gazette of India*, may direct.

NOTES.

(1) The extent of the Act.—In India, the law pertaining to the motor vehicles, is embodied in the Indian Motor Vehicles Act, VIII of 1914, as amended upto 18th of September 1924, (the amending Acts are: Act XVII of 1914, Act XII of 1916, Act XXVII of 1920 and Act XV of 1924). The whole of this Act extends only to the Province of Madras, Bombay, Bengal, the United Province of Agra and Oudh, the Punjab, Burma, Bihar and Orissa, the North West Frontier Provinces and Delhi. The whole of the Act, except Part III, extends also to British Baluchistan, the Sonthal parganas and the pargana of Spiti and the rest of British India.

(2) Under this Act, the Local Government of any other province, to which Part III of this Act has not been made applicable, has been empowered to extend the Provisions of Part III to the whole or any part of its province [Sec. 1 (2)].

(3) When the Act came into force.—Under Section 1, subsection(3), this Act came into force on 1-4-15—(Vide Government of India, Judicial, Delhi Notification No. 1065-C. of 25-2-15).

Definitions 2. "Motor Vehicle" Includes a vehicle, carriage or other means of conveyance propelled, or which may be propelled, on a road by electrical or mechanical power either entirely or partially;

.. "Prescribed" means prescribed by rules under Act:

place" means a road, street, way or

'her place, whether a thoroughfare or not to which he public are granted access or over which they ... a right to pass.

NOTES.

The definition of a "Motor Vechicle" is given in this section.

What is a " Vechicle ", a " carriage " or " Conveyance ".

2. "Vehicle", literally means (from the Latin word "Vehicularis)", that in or on which any person or thing is, or may be), carried, as a coach, carriage, wagon, cart, sliegh, bicycle, etc.; a means of conveyance; specially, a means of conveyance upon land. (Webster's Dictionary).

"**Carriage**"—means that which carries or conveys, as (a) A wheeled vehicle for persons, especially one designed for elegance and comfort, (b). A wheeled vehicle carrying a fixed burden, as a gun carriage. (Webster's Dictionary).

"**Conveyance**"—means the Act of conveying, carrying, or transporting: carriage—(Webster's Dictionary)

What is the meaning of " propel. "

" Propel " is derived from a Latin word " Propellere," " pro " means forward, and " pellere " means " to drive, ' meaning " to drive forward, to urge or press onward by force. " (Webster's Dictionary).

Chief Characteristics of a Public Place.—A " public place " under this Act is defined in this section, but the chief characteristic of a public place is, that to which the public *are granted access*, or over which they have *a right to pass*. Such a place is distinguished fromthe place to a private house or for the benefit of a particular person only which is not a public place.

What is a street.—A street is defined differently by various enactments in India to suit the requirements of these

particular enactments. There is no one definition of a street. In its ordinary sense it means a road or a way, having houses on its one side or both sides. In England, a street means a highway, which is open to all the subjects of the King. The mere circumstances that a street is lighted and swept by the Municipality is not of itself sufficient to convert a private into a public street. 25 Bom. 315. A street protected by a gate closed at night by a watchman who lived over the gate and was under the control of and paid by the owners of the houses in the street, was not held to be a street, as there had been no dedication of the land to the public and that the public had not acquired such a right of going over it, as to make it a public street vested in the Municipality. 20 Bom. 146. A road used by one particular section of the community is not a public road, 25 W. R. 146; see also, 9 I. C. 562; 56 I. C. 1; I. L 117. A limited access by the public to a private place does not operate to convert it into a public street—See 109 P. R. 1916; 35 I.C. 355.

Dedication-Presumption from long user.—Where so far as living memory goes, a passage has been proved to have been used as a public cart road, the correct inference to be drawn is that it has been so used from time immemorial as a public high way and dedication should be presumed from long user. *Ardeshir Jiwanji V. Aimai Kuvarji*, 117 I. C. 513=53 Bom. 187.

Right to pass over.—The right to [illegible] public is not in the nature of an easement [illegible] lled n[illegible] it acquired by prescription under [illegible] Lim[illegible] Act (62. P. R. 1898) but see also, 2[illegible] rig[illegible] the public is the right [illegible] of [illegible] in a highway. Pratt [illegible]ys

Streets which [illegible] An[illegible] public has a right t[illegible] that a special part[illegible] ience of the traffic, each side any the [illegible] I. C. 200.

Cul-de Sac.—A lane though a *cul-de sac,* may yet be a public street, I. L. R. 30. All 70.

Blind alley.—*Ownership of adjacent houses.*—In the case of a blind alley the court may presume that the ownership vests in the owners of the adjacent houses, but that presumption is not a presumption of law but an inference of fact. *Shimbu Dayal V. Gajjumal.* 108 I. C. 610=A. I. R. 1928. Lah. 709

Are granted access.—It means that the public have unimpeded entrance upon the land, 15 I. C. 785.

Part II.

PROVISIONS OF GENERAL APPLICATIONS.

Prohibition of driving motor vehicles by persons under 18.

3. (1). No person under the age of eighteen years shall drive a motor vehicle in any public place.

(2) No owner or person in charge of a motor vehicle shall allow any person under the age of eighteen years to drive the same in any public place and in the event of a contravention of sub-section (1), the Court may presume that the motor vehicle was driven with the consent of the owner or person in charge.

NOTES.

Who can be a driver.—In India, a person who is of not less than 18 years of age and has obtained a license for driving, from the prescribed authority, only can drive a motor vehicle, in a public place. If he does not comply with these two conditions, he cannot be a lawful driver of a motor vehicle and is liable to be punished with a fine amounting to Rs. 100, on the first conviction, and Rs. 200 in the case of a second conviction. But there is only one exception of a person " receiving instruction ", who can drive a Motor Vehicle on a public place without a license, provided such an apprentice observes the rules made by the Local Government. There is no other exception.

It has been held by the Allahabad High Court that for the purposes of section 8 (which requires a driver to produce his license upon demand by any police officer) no person is a "Driver", unless he is actually driving. 101 Ind. Cas. 668).

As to what is a "*Motor Vehicle*", is defined in section 2 of this Act.

Duty of the owner of a motor vehicle - An owner of a ıotor vehicle who allows any person, under the age f 18 years, to drive his motor vehicle, in a public place, ommits an offence under this section of the Act much so that in the event of a contravention of the age mit of 18 years, this section allows a court to presume that ıe motor vehicle was driven with the consent of its owner

Duty of a person in charge of a motor vehicle, not to allow persons under 18 years to drive.

A person in charge of a motor vehicle has the same res-ons'bility as the owner of the motor vehicle has, as regards he allowing of the driving of the motor vehicle in his charge y the persons under 18 years, is concerned. (*vide supra*).

What is meant by a "person incharge" of a motor vehicle 'The person, in charge" of a motor vehicle is not defined anywhere in this Act. However it is certain that a driver. alone, can be the person incharge of a motor vehicle, especially when he is driving the vehicle, and there is no one else in it. The person in charge means a person who has the complete control of the mechanicism of the vehicle, whether running or stationary. It does not appear to mean a person who, in the absence of the driver has the charge of looking after a stationary vehicle.

Duty to stop vehicle for regulating traffic & in case of accident

4. The person in charge of a motor vehicle shall cause the vehicle to stop and to remain stationery so long as may reasonably be necessary.

(a) *When required to do so by any police officer* for the purpose of regulating traffic or of ascertaining his name and address with a view to prosecuting such person under this act or for any purpose connected with the enforcement of the provisions of this Act or the rules thereunder, or

(b) When required to do so by any person having charge of any animal if such/

person apprehends that the animal is, or will be, alarmed by the motor vehicle, or

(c) When he knows or has reason to believe that an accident has occured to any person or to any animal or vehicle and he shall also, if so required, give his name and address and the name and address of the owner of such motor vehicle.

NOTES.

As to what is a *"motor vehicle"* see section 1 of this Act. As to what is a person in charge of a motor vehicle, see explanatory notes, under section 3 of this Act.

The duties of a person in charge of a motor vehicle.—This section enacts some of the duties of "the person in charge" of a motor vehicle; the other duties of such a person are enumerated in section 3.

The duties under this section be drescribed as below:—

"The person in charge" of a motor vehicle is duty bound.—

1. to cause the motor vehicle to stop, and

2. to remain stationary, so long as may reasonably be necessary in the following cases:—

(a) When required to do so by any Police Officer, for the purpose of

(1) regulating traffic or

(2) ascertaining his name and address with a view to prosecuting such person under this Act or,

(3) for any purpose connected with the enforcement of the provisions of this Act or the rules thereunder

(b) or, when required to do so by any person having charge of any animal, if such person apprehends that the animal

(1) is, or

(2) will be, alarmed by the motor vehicle,

(c) or, (1) when he knows or

(2) has reason to believe that an accident has occurred

(a) to any person, or

(b) to an animal, or

(c) to vehicle, in charge of a person owing to the presence of the motor vehicle,

3. and also, if required, to give name and address

(a) of his own, and

(b) of the owner of such motor vehicle.

The person in charge of the car, though he may not be the owner, to whose orders the driver is in fact submitting at the time of the accident or immediately thereafter, is amenable to this section. *Emperor V. Raman Jai Singh*, 108 I. C 230=9. A I. Cr. R. 341=29 Cr. L J. 357=A. I. R. 1928. All. 261.

Police Officer's Power to stop drivers.—Police officers stopping vehicle need not be one engaged in regulating traffic *In re Ramanugam Naidu* 31 Cr. L. J. 639=A. I. R. 1930. Mad. 445=124 I. C. 206.

When none injured, is reporting essential?—Under r. 32 of the Rules framed by the U. P Government under S. 14 of the Motor Vehicles Act, the person in charge of a motor vehicle is under a duty to report an accident to the nearest Police Station only, if any person is injured by the accident

The words "if any person is injured" in the said rule govern the whole of the clause and not merely the first part of it. *Mansa Singh V. Emperor.* A. I. R. 1929 All. 750; (1929) A. L. J. 1044; 51 A. 996.

See, Rule 88 of the Rules in Chapter I, Book II.

Reckless driving

5. Whoever drives a motor vehicle in a public place recklessly or negligently, or at a speed or in a manner which is dangerous to the public, having regard to all the circumstances of the case, including the nature, condition and use of the place, and the amount of traffic which actually is at the time, or which might reasonably be expected to be, in the place, shall. on conviction be punishable with fine which may extend to five hundred rupees.

NOTES

This section povides for some of the duties of a Driver of a Motor Vehicle,. The other duties of a driver are mentioned in sections 6 to 8 of this Act.

The duties of driver, while driving a motor vehicle— Under this section the duty of a driver may be described as follows :—

No person is allowed to drive a motor vehicle in a public place.

(1) recklessly, or

(2) negligently, or

(3) at a speed, or

(4) in a manner which is dangerous to the public having regard to all the circumstances of the case, including,

(a) the nature, condition, and use of the place, and

(b) the amount of traffic which

(1) actually is at the time, or

(2) might reasonably be expected to be, in the place.

Analogous English Law—This section is analogous to section 20 of Motor Car Act, 1903 (3 Edw.7C 36). This section creates apparently four distinct offences only one of which can be included in a single conviction.(R.V. Wells,(1904), 68J.P.392). A conviction for driving "recklessly" has been quashed for duplicity (*Connell Vs. Mitchell* (1907) S, C. Judiciary 13) The words having regard etc." apply to four offences (*Thoughton Vs. Manning* (1905) 69 J.P. 207). The words "including the nature etc" appear to be mere surplusage; their omission from a conviction does not vitiate it, nor limit the evidence admissable on appeal (*R. Cahill Vs Dublin Justices* (1904) 2 I. R. 698; *Elues Vs. Hopkins* (1906 2 K.B. 1).

This provision is intended to safeguard passengers on the highway; therefore if proper regard is being paid to their safety a driver ought not to be convicted merely because some one else choosing to hang on to the car for his own purposes is thereby endangered (*Troughton Vs. Manning, Supra*). Although driving at a dangerous speed is an offence itself, evidence of excessive speed is admissible on a charge of driving in a dangerous manner (*Hargreaves Vs. Baldwin,* (1905) 69 J. P. 297)

If, in convicting an accused, of dangerous driving, the court takes into account the question of speed, there cannot on the same facts be a conviction for exceeding the speed limit. (*Welton Vs. Taneborne* (1908), 72 J. P 419).

An owner, who is sitting by his driver and does not interfere to check a speed which he must know to be improper, may be convicted as a principal offender. (*Du Cross vs. Lambourne.* (1907, 1 K. B. 40).

INDIAN LAW.

What is "recklessly".

"Recklessly" means in a manner careless or heedless of consequences. "*Negligence*" has been defined to be the

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(4) in a manner which is dangerous to the public having regard to all the circumstances of the case, including,

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INDIAN LAW.

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"Recklessly" means in a manner careless or heedless of consequences. "*Negligence*" has been defined to be the

breach of a duty caused by the omission to do something, which ordinarily regulate the conduct of human affairs, would do, or the doing of something which a prudent and reasonable man would not do (*Blyth vs. Birmingham Waterworks* Co. (1856), 11 Ex. 784).

Rash and negligent driving. Distinction between Sec. 279 Indian Penal Code and Sec. 5 of this Act.

The accused, while driving a motor car on the wrong side of the road at a blind corner between two roads of considerable traffic came in collusion with a motor bicycle and caused damage to the side-car of the bicycle; *Held*, that the accused was guilty of an offence under Section 279 of the Penal Code. (84 I. C. 253) Section 5 of the Act, VIII of 1914, refers to a person who is driving a car in a manner which would in ordinary circumstances be proper but which is improper owning to the special condition of the road on which he is driving at the time. The section does not cover the case of a person who is not on the right side of the road, which is always and in every condition improper (*Yar Mohd. Vs. Emperor* 84 I. C. 253).

The facts which have to be proved for a conviction under section 279 of the Penal Code and for a conviction under Section 5 of the Motor Vehicles Act, are substantially the same and a person who is charged under one of these sections may be convicted under the other, inasmuch as there is no question of prejudice to him in such a case. A driver of a car who attempts to force his way past a car in front of him on his side of the road, at a time when there is a car approaching on the opposite side of the road in the opposite direction almost immediately in front of his car is guilty of conduct which comes within the purview of Section 5 of the Motor Vehicle Act. (*Charan Singh Vs. Emperor*, 88 I. C. 998=A. I. R. 1925 All. (798).

A motor driver was prosecuted for rash driving under S. 279, I. P. C. and was fined under rule 60 of the M. V. Rules for not stopping when the accident occured. The District Magistrate submitted the proceedings with a recommendation that the accused be retried on the ground

that the trial was irregular and that he should have been convicted under S 279, I. P. C. *Held*, that although the trial was irregular and the accused might possibly have been convicted under S. 279, I. P. C, since there was a conviction and a substantial punishment, the High Court would not interfere in revision. (*Bishan Singh Vs. Ismail*, 103 I C. 837; 6 Burma L. J. 81, 28 Cr. L J. 757; A. I. R. (1927), Rang. 240, 8 A. I. Cr. R. 441).

Rash Driving resulting in hurt, conviction under S. 5, no bar to prosecution under Sec. 338, I. P. C.

A motor driver who drove recklessly and thereby caused greivous hurt to a person, was convicted under section of the I M. V. Act. He was subsequently prosecuted under section 279, I. P. C It was contended on behalf of the accused that the second prosecution was barred under Sec. 403 of the Cr. P. Code, *Held*, that though the accused could not be prosecuted for an offence circumscribed by the rash driving, yet his conviction for rash driving could not protect him from prosecution from the consequences of such rash driving under section 338 of the Penal Code. (*Gur Narain Vs. Emperor.* 107 I. C. 687=L. R. 9 A 11 Cr.=9 A. I. Cr. R. 99=26 A L. J. 160).

What is a "Rash" Act.

A "rash" act is primarily an over hasty act and is thus opposed to a deliberate act, but it also includes an act which though it may be said to be deliberate is yet done without due deliberation and caution—Ratan Lal's Penal Code p. 357 Ed. 4th. In cases of "Rashness" the party does an act which he is bound to forbear; he breaks a negative duty. In "negligence" he adverts to not to act which it is his duty to do.

Rash driving.

Who is responsible for Civil or Criminal responsibility.—In the case of a collusion or injury arising out of rash driving, the actual driver and not the owner of the carriage is liable. (*Lagrmory Vs. Pornendoo Deo.* 1870, 14 W. R 23.)

In a civil suit, the injured party has an option to sue any of them. In a criminal case every man is responsible for his act; there must be some personal act. (*Allen*, (1886) 7, C. & P. 153; *Green*. (1835) 7 C & P. 156).

Again the fact that a person was ringing the bell or shouting out to the people to get out of the way does not excuse rash driving. A person is guilty of rash driving if he races on the public place—for racing begets rashness and rashness involves risk of danger. The ordinary rule of the road, " keep to the left " must be observed. It would be negligent act not to observe the rule whereever it exists and would consequently be punishable. But the mere non-observance of the rule without the act being rash or negligent, is not punishable (*Babu Santu*, 23 Bom. L. R. 358; 61 I. C. 52).

The accused, who was driving his own motor car, attempted to pass a victoria which was a little ahead of him on the left, but as he was doing so the driver of the victoria turned it suddenly to the left with the result that it collided with the motor car. The accused was, on these facts, convicted of driving his motor car negligently and recklessly; *Held*, that the victoria driver having first directed his carriage towards his right was not justified in so suddenly changing his course back to the left as to place the overtaking motor; in the position of difficulty which he did, and that, therefore, the accused could not be said to have been negligent or reckless in driving his motor car. The rule of the road is not an invariable or inflexible rule and a deviation may be not only justifiable but actually necessary. (*Jehangir D. Daver*. In re 13 Bom. L. R. 126; 9 I. C. 945).

Besides Section 279, sections 304 A, 336 to 338 Indian Penal Code also deal with rash and negligent driving.

Negligently, recklessly or dangerously.—Negligence is an affirmative word; it is the absence of such care, skill, and diligence, as it was the duty of the person to bring to the performance of the work which he is said to have performed

(Per. *Willes, J. in Gribe Vs. General Iron Screw Coller Co.* (1866) 35 L. J. P. 321, 330). The driving of a motor vehicle is a skilled occupation and the driver is bound to act to the best of his skill which be such as others of that occupation may reasonably be expected to possess. 22 Ind. Cas, 705.

When negligence is a part of the definition of an offence, it implies that the act constituting the offence shall have been done, or caused, by the alleged offender himself ; proof that it was done by the alleged offender's servant without more will does not bring the charge home (*Chisholme Vs. Daulton* (1880) 22 Q B. D. 836, 58 L. J. M. C. 153 ; 60 L. T. 966 ; 37 W. R. 749 ; 53 T. P. 550.)

There can be no civil action for negligence if the negligent act or omission has not been attended by any injury to any person ; but bare negligence involving the risk of injury is punishable criminally, though nobody is actually hurt by it.

The question whether A is driving recklessly or negligently or at a speed or in a manner dangerous to the public, cannot be answered in the abstract. It depends upon the nature, condition and use of the place and the amount of the actual traffic at the time or which might be reasonably expected to be in the place.

If A drives a motor vehicle by daylight in a deserted street l ... caution as one dri ... rect lamps and in ... that at a particular time the street was vacant does not justify rash driving. A driver may reasonably expect that persons will take proper care not to get in the way of fornes and cars. At the same time he is bound not to assume that it is solely their duty to get out of his way and not his duty to keep out of others (*Bayne* 8 Bom. L. R. 414, 419).

Presence of any person on the road is not necessary.— It is not necessary to prove that any person was on the road, at the time, and the court may take into consideration

the probability of persons using it being placed in danger. (19 Bom 715 (1894).

Now assuming that a driver is reckless or negligent in a public place, the offence is not complete until, the driving is in a manner dangerous to the public. This does not mean that the hurt or injury should in fact have been caused. 6 M H C (App) 33, or indeed that at the time there was some person actually there in a position of danger. (*Hormusji* 19 B. 715)

The accused broke away from the line of cars formed by the police to regulate traffic and tried to overtake two or three cars which were going slowly before his car. He kept himself on the left side of the road all along. The accused was tried for recklessly driving in a manner which was not only dangerous to the public but to the occupants of his car. *Held*, that in determining whether the manner of driving a motor car was dangerous to the public or not regard must be had to all the circumstances of the case and the amount of traffic which actually was at the time in the place. It is really a question of fact depending on the circumstances, (*Per. Fawcatt J*) The mere fact of deviating from a line of traffic does not necessarily amount to negligently, recklessly or dangerously driving car. (*Khodabux v. Emperor* 97 I. C. 973; 28 Bom. L. R. 1066; A I. R 1926 Bom. 564).

Dangerous Driving.—The accused driving a motor car while under the influence of liquor, ran into another motor car and damaged. He was tried under R. 27. A framed under S. 16 and convicted on his plea of guilty, and he was again tried for rash and negligent driving on the same facts under Sec. 5 and was convicted. *Held* that a breach of R. 27-A would be committed the movement the accused was driving the car in an intoxicating state and the act of rashness in regard to which he was convicted was a subsequent event and that therefore there was nothing illegal in his being separately charged and tried for each of the two offences. *Emperor V. Rama Deo Ji*, 112. I. C. 101=29 Cr. L. J. 981=30 Bom. L R. 636=A. I. R. 1928 Bom. 231.)

Two cars were going under 15 miles per hour along the road from South to North another car came in the opposite direction from North to South. G's baby car, passed the two cars going towards the North. G was going above 25 miles per hour. The road was at the place 40 to 50 ft. wide as would give ample room for 4 cars to pass abreast with any amount of room to spare There was no traffic of any kind on the road at the time exept the 4 cars. G was not shown to be over the wrong side of the road *Held* that there would be ample room for a very small car like that of G to pass without trenching on the right hand side of the road. Even if he did go slightly over the middle of line the car coming in the opposite direction had 2 feet in which to swing to its left G's driving could not therefore be assumed to be reckless or negligent, an estimate speed of 25 miles per hour could not be regarded as anything out of the ordinary on that road (*S Ganguli V. Emperor*, 115 I. C. 900=30 Cr L. J 539=A. I R 1929 Rang. 14.)

Duty of motor drivers-Test of liability.— The accused was driving a motor lorry very fast, two bullock-carts came towards the lorry and on hearing the horn, instead of both going to the left, one cart went to the left and one to the right. The accused made a swerve hoping to get through on the right side. His lorry struck against a tree and a passenger was killed. The accused was tried under Sec. 304, I.P.C. for rash and negligent driving. *Held*, that while there was negligence on the part of one of the bullock-cart drivers, the accused, if he had his lorry under proper control should have been able to avoid the consequences of that negligence. His negligence, therefore, was the negligence that substantially caused the accident and he was, therefore, rightly convicted. *Dictum.*—The idea is unfortunately very prevalent in a vague way in the minds of many drivers that it is sufficient to absolve them from the consequences of rash driving merely to show that the person to whom or to whose property they have caused injury was himself negligent. It is not so and the sooner rash drivers appreciate the fact the better. (*Deota Misir Vs. Emperor.* 133 I C. 601=A. L.J. 1931, 770.

Gross and culpable negligences in Driving—Liability for injuries thus caused.

Plaintiff sued to obtain damages for personal injuries sustained while he, as a bare licensee was being driven

gratuitously by his friend, defendant, in the defendant's motor car. The sole cause of the disaster was that the defendant in order to get ahead of an incoming train, drove to the crossing and went over it at an excessive speed and in total disregard of the need for caution imposed by the fact that the road in front of him was hidden from his view on account of the abrupt turning ;

Held, (1) that the defendant was liable in damages;

(2) that the driving of a motor car being a business or occupation requiring skill, and the defendant having that skill, and being a volunteer, was to act to the best of his skill, which must be such as a person skilled in such matters may reasonably be expected to possess;

(3) that under the circumstances of the case, putting the skill and caution exigible from the defendant at their very lowest, the defendant was grossly and culpably negligent. 21 I.C. 705; 38 Bom. 553.

Contributory Negligence—The doctrine of contributory negligence does not apply in criminal actions. (*Blenkinsop Vs Ogden*, 1898, 1. Q. B 783). The accused will be liable even though there has been a degree of negligence on the part of the prosecutor which would incapacitate him from bringing a civil suit. Where an accused while driving a motor car on the wrong side of the road at a blind corner between to roads of considerable traffic came in collusion with a motor bicycle and caused damage to the side car of the bicyle ; it was held that the accused was guilty of an offence under section 279 of the Indian Penal Code.

An instance of contributory negligence is when a passenger in a train with his arm projecting four inches out of the window came in contact with the open door of one of the stationary carriages of a train and fractured his arm, it was held that he could not recover damages being guilty of contributory negligence. *Jehangir Munchirji Lali Vs*.

B. B. C. I Ry. Co. 37 Bom. 575=15 Bom. L. R. 252=19 I. C. 485.

Contributory negligence, whether can be considered in mitigation of sentence.

Where a motor driver was charged with having driven a motor car rashly and negligently, it was held that while contributory negligence would not be a defence entitling the petitioner to an acquittal it might be a factor for consideration in determining the sentence.—(*Kanshi Vs. Crown.* 99 P. L. R 1927).

Respondent superior.—The High court has remarked that "looking at the passive submissive of the native servants it would be very dangerous doctrine indeed. to hold the master inside entirely guiltless if his directions procured the rash and negligent act. 6 M. H. C. (App.) 31. But a mere order to drive fast would not make him criminally liable. In such cases he may be civilly liable for an accident. But where the driver is not the servant but a hackney driver the employer can not be held responsible for the act of driver unless indeed, his act amounts to abetment (*Miles Armstrong* 13 App. Cas. 1 (89); overruling. *Thorogood Vs. Bryan.* 8 C. B. 115)

Civil Liability—Negligence is not a ground of legal liability unless the party, whose conduct is in question, is under a duty to take care. Even if there is such a duty the contributory negligence of the defendant is a good defence to a claim for damages. (34 Bom. 427=5 I.C. 676)

So where the defendant while driving a friend in his motor car went on excessive speed and met with an accident which injured his friend, it was held that he was grossly and culpably negligent so as to be liable in damages. (*Sorabji Hormusji Vs. Jamenedji Mervanji*; 38 Bom. 552=18 Bom. L. R. 959=21 I. C. 705).

Measure of damages—In cases of personal injuries, due to negligence, the following considerations will be taken into account in assessing the damages :—

(i) the pain and suffering of the person injured ;

gratuitously by his friend, defendant, in the defendant's motor car. The sole cause of the disaster was that the defendant in order to get ahead of an incoming train, drove to the crossing and went over it at an excessive speed and in total disregard of the need for caution imposed by the fact that the road in front of him was hidden from his view on account of the abrupt turning ;

Held, (1) that the defendant was liable in damages;

(2) that the driving of a motor car being a business or occupation requiring skill, and the defendant having that skill, and being a volunteer, was to act to the best of his skill, which must be such as a person skilled in such matters may reasonably be expected to possess;

(3) that under the circumstances of the case, putting the skill and caution exigible from the defendant at their very lowest, the defendant was grossly and culpably negligent.21 I.C. 705; 38 Bom. 553.

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Measure of damages—In cases of personal injuries, due to negligence, the following considerations will be taken into account in assessing the damages :—

(i) the pain and suffering of the person injured ;

(*ii*) the expenses incurred for medical and other necessary attendance;

(*iii*) the loss sustained through his inability to continue a lucrative professional practice. 24 B. I.

(*iv*) Loss of profits of the plaintiff's business (*Bradshaw Vs. L & Y. Ry. Co.*, L. R. 10 C. P. 1893.)

(*v*) Possible increase of his income. (*Fair, Vs. L & N. W. R. Co*, 21 L. T. 326.)

The following will not be taken into account in reduction of damages :—

(*i*) Monies received by the plaintiff under an accident insurances policy (*Bradshaw Vs. G. W. Ry. Co.*, L. R. 10 Ex.

So also policy money (*Grand Trunk Ry. Co., of Canada Vs Jennings*, L. R. 13. App. Cas 800).

A Motor conveyance owner contracts to carry passengers safely inside the conveyance. Hence a passenger travelling outside the carriage or putting his limbs outside the carriage cannot claim compensation for injuries received by so doing.

The negligence should be contributory to the accident and not a bare negligence When a speed limit had been fixed by notification and a collusion occured and the vehicle that was struck had not a good light and the collusion would [illegible] ver and goodlight, [illegible] itory negligence, [illegible] within the speed limit. (8 I. C. 611).

In a case of contributory negligence the crucial question on which liability depends, is whether either party could by the exercise of r[illegible] the consequences of the other' [illegible] that party is legally responsibl [illegible] *Misir Vs. Emperor*. 133 I. C.

PART III

LICENSING AND CONTROL.

6. No person shall drive a motor vehicle in a public place unless he is licensed in the prescribed manner, and no owner or person in charge of a motor vehicle shall allow any person who is not licensed to drive it:

Licensing of drivers

Provided that subject to rules made by the local Government in this behalf, this section shall not apply to a person receiving instructions in driving a motor vehicle.

NOTES.

Duty of every person, not to drive, without a license.

This section forbids the driving of a motor vehicle by any person, in a public place, without having first obtained a license to do so.

Duty of an owner of a motor vehicle.

This section also forbids the owner to allow his motor vehicle to be driven by a person, who is not licensed in the prescribed manner.

A motor bus owner who allows his driver to drive his omnibus without license in contravention of Sec 6, aforesaid, is guilty of an offence under the section and cannot plead that he was not aware of the expiry of the license. Nor can a man entrust his car to another person and plead that he presumed that he was licensed. He must assure himself that he is licensed (*Crown Prosecutor V. Kadir Mohideen* (105 I. C. 674=26 L.W. 568=(1927) M. W. N. 852=53 M. L. J. 757=A. I. R. 1927. Mad. 1080); See also, 42 I. C. 601.

Liability of the owner—Where a particular intent or staet

of mind is not of the essence of an offence, a master can be made criminally liable for his servant's acts if an act is expressly prohibited, but not otherwise; and he can not be so made liable if the act provides for liability for permitting and causing a certain thing unless it can be shown that the act was done with the master's knowledge and assent, express or implied Where a motor bus is driven by a person who has no license, without the knowledge of the owner, the owner cannot be convicted. Nor can he be convicted on the ground that his licensed driver had given the unlicensed driver permission to drive. (A. I. R. 1924. Cal. 985. Rel. on; 38 Cal. 415 and 45 Cal 436. Dist.) *Indra Mohan Roy V. Emperor* 110 I C. 326=29 Cr L J 694=A I. R. Cal. (1928) 410

Duty of a person in charge of a motor vehicle

Like the owner this section prohibits a person incharge of a motor vehicle, to allow any person not licensed in the prescribed manner to drive the motor vehicle under his charge.

Exceptions to the above mentioned duties.

There is only one exception to the abovementioned duties, in the case of a person who receives instructions in driving, in accordance with the rules made by the Local Government

Police Officer can ask for a licence even in the private grounds.

A Police Officer can ask the driver of a motor vehicle for a license in the private grounds of a person, and it is not necessary that the car should be actually driven on a public road. 97 (I.C. 48 ; but see, 101 Ind. Cas. 668)

Meaning of motor vehicle, public place, and prescribed manner.

As to the definitions of "*motor vehicle*", a "*public place*" or the "*prescribed manner*", see notes on section 2 of this Act.

How drivers are licensed in the Punjab.

As to how drivers are licensed in the Punjab, see Rules

14 to 22 of the Punjab Motor Vehicle Rules, 1931 Chapter I. Book II.

Drivers licensed under what other enactments, are exempted in the Punjab from being licensed under this section.

1. As to the exemption of licenses granted under certain enactments from the operation of section 6 of this Act, in the Punjab, see, the Punjab motor Vehicle Rules, 1931, for which see, Chapter I, Book II.

2 Drivers of electrically propelled luggage tractors, the property of the N. W. Railway when driving the same within the limits of any railway station in the Punjab, are exempted from the operation of this section—P G. N, 2331 of 12. 7. 27.

Transfer of license

7. The holder of a license shall not allow it to be used by any other person.

NOTES

Non-Transferability of the License.

This section forbids the holder of a license to allow any other person to use it. The "holder" does not mean the person who is in the physical possession of the license but it purports to mean the person whose name is entered in the license, by a competent authority, empowered to issue such a license under this Act, or the rules made thereunder. A person who is not a holder as such, cannot make use of the license, nor can such a holder, allow any other person to use the license. He who commits the breach of the provisions of this section, can on conviction, be punished, under section 16 of this Act, with a fine upto one hundred rupees, for the first offence, and upto two hundred rupees, in the case of a previous conviction under this Act or the rules made thereunder.

Production of license.

8. The driver of a motor vehicle shall produce his License upon demand

by any police officer.

NOTES.

Driver's duty to produce License upon demand.—Under this section a driver is duty bound to produce his license upon demand by any police officer. If he commits the breach of this duty, he is liable to be punished with a fine up to 100 rupees for the first offence, and upto 200 rupees if he is previously convicted under this Act or the rules made there under.

Applicability of the section.—Sections 8 and 9 do not apply to permit under R. 24, U. P. M. V. Rules, 1924, but to the driving license prescribed by. S. 6 of the Act and Rr. 20-22. Consequently failure of a driver of a public motor vehicle to produce on demand a permit issued to him under R. 24 is not an offence *Hasan Ahmad V. Emperor.* 111 I. C. 127=50 All 876=29. Cr L. J. 799=A. I R. 1928 All. 492.

Police Officer can demand driver's license even in the private grounds.—A person drove a car and entered the private grounds of a person, it was held that a police officer can ask the driver of a motor vehicle for his license in the private grounds of a person, and it is not necessary that the car should be actually being driven on a public road. But, it was also held that it is a harsh way of administring the law to institute a prosecution against a properly licensed chauffeur simply because he may have not got the license on his person. The offence, if at all, is a technical one and does not merit a prosecution. (*Aklu and others Vs. Emperor.* 7 Pat L T. 542=27 Cr. L J. 1072; A. I. R. 1926 P. 446=97 I. C. 48).

" Upon Demand ".—Where a motor cyclist travelling along the road on a motor cycle was stopped by a police sergeant and was asked to show his driving license, which he had not in his possession at the time. The sergeant was asked to wait for five minutes so that he might go home and bring it but sergeant declined. It was held that under section 8 of the Motor Vehicles Act, it is compulsory upon a driver of a motor vehicle to carry his license with him, and he is bound to produce it atonce directly a police officer calls

upon him to do so. Failure to produce a license immediately, upon such demand is punishable under the section The words "upon demand" in section 8 mean at once directly a demand is made. *Madan Mohan Nath Raina Vs. Emperor.* 18 A. L. J, 933=58 Ind Cas. 148=48 All 123.

Driving by the properly licensed person not punishable, only the non-production of the license is—A Sub-Inspector was stopping all the motor cars that passed in front of the police station. House for the purpose of examining the driver's license. Dheikhla, the accused was taking certain passengers to the Railway Station in one of his master's car. He stopped when called upon to do so, and admitted that he had not got his license with him He was told to go back to fetch it. He started in the direction of his own and his master's house, but instead of going there went to the railway station, his original destination, by another route. He sent the license to the Kotwali in the evening It was held that there is no prohibition against the driving of a motor car by a properly licensed person who has not got his license with him; it is only the non-production of the license upon demand by a Police Officer that is an offence (*Dheikhla Kuntu Vs. Emperor* 65 Ind. Cas. 425=23 Cr. L. J. 73=A I. R. (1922) Nag 71.

No person is a driver, unless actually driving—No person is a driver, within the meaning of section 8, which requires a driver to produce his license for demand by any Police Officer, unless he is actually driving. (*Emperor Vs. Sita Ram*) 101 Ind Cas 668=49 All 754=28 Cr. L. J 492=A. I. R. 1927 All. 478.)

A Magistrate in the United Provinces can not, therefore, convict a person who has been licensed as a driver in the United [illegible] of the order to attend his hous [illegible] *nperor Vs. Sita Ram,* 8 L R. [illegible] Cr. L. J. 492=A. I. R. (1927) All. 478=101 I. C. 668=49 All. 754.)

The driving need not be on a public place.—Vide 97 Ind. Cas. 48 (*supra*).

Extent of validity of license to drive

9. Every license to drive a motor vehicle shall be valid in such area as may be specified therein :

Provided that no license shall specify any area outside the province in which it is granted, unless it is issued in accordance with such conditions and restrictions as the Governor-General in Council may impose.

NOTES.

After the words "*it is issued*," the words "*by such authority and*", have been omitted by Act, XVII of 1914.

Extent of the validity of a license to drive.—Every license to drive a motor vehicle can be valid only in such area as may be specified therein; provided that no license can specify any area outside the province in which it is granted.

Exception.—But a license granted in accordance with the conditions and restrictions, imposed by the *Governor-General* in Council may be issued even for an area outside the Province issuing may be the same. See also, 9 Bom. L.R. 161; 5 Cr. L. J. 176.

Licenses issued in the Punjab are valid throughout British India.—A license to drive a motor vehicle now issued in the Punjab, in the form of a license, is valid throughout British India.—Vide Notification, No. 1071 C, dated 25th February, 1915, Home Department of the Government of India.

Registration of motor vehicles.

10. (1) The owner of every motor vehicle shall cause it to be registered in the prescribed manner

(2) Such registration shall be valid in such area as may be specified in the certificate of registration :

Provided that no certificate of registration shall be valid outside the Province in which it is granted,

unless it is issued in accordance with such conditions and restrictions as the Governor-General in Council may impose.

NOTES.

Duty of the owner to have the motor vehicle registered.— This section casts upon the owner of a motor vehicle the duty of having his vehicle registered, in the manner prescribed by the rules

Extent of the validity of registration of a motor vehicle.

Every registration of a motor vehicle affected under this section, can be valid only in area of such a province, in which it is granted, but there is one exception in the case of certificates of registration, which are issued in accordance with the conditions and restrictions imposed by the Governor-General in Council.

Local Governments now empowered to prescribe duration of registration.

Formely a Local Government was not empowered under Section 11 (2) (a) of the Act to prescribe by rule the duration of time during which a certificate of registration shall be valid. (*J D. Sherton Baker Vs. Emperor.* 46 Bom. 646=23 Cr L J. 169=65 I C. 633=24 Bom. L.R. 50=A.I.R. 1922 Bom. 42) But now since the passing of Act, XV of 1920, the Local Government have been empowered to make rules even for the duration for which certificates of registration shall be valid.

As to what certificates of registration issued in the Punjab are valid throughout British India, see, Government of India Notfication No. 1071 C. Home Dept. dated 25th February 1915 relating to r 6 (Form A. 3) and r. 12 (Form C. 3) of the Punjab Motor Vehicles Rules, 1931.

Motor Vehicles exempted from the operation of this Section see also Sec. 13.

(1) As to which Motor Vehicles in the Punjab, the provisions of this section shall not apply—*Vide* Appendix VI of the rules in Ch. I Book II.

(2) In the Punjab the provisions of this section do not apply to electrically propelled luggage tractors, the property of the N. W Railway when the same are being driven within the limits of any railway station. P G. Notification 23313 of 12-7-27.

Power of Local Government to make rules.

11 (1) The Local Government, subject to the condition of previous publication, shall make rules for the purpose of carrying into effect the provisions of this Act and of regulating, in the whole or any part of the territories under its administration, the use of motor vehicles or any class of motor vehicles in public places.

(2) In particular, and without prejudice to the generality of the foregoing powers, the Local Government, may make rules for all or any of the following purposes, namely:

(a) Providing for the registration of motor vehicles, and the conditions subject to which such vehicles may be registered, the fees payable in respect of and incidental to registration, the issue of certificates of registration, the notification of any changes of ownership, and (subject to the provisions of section 10), the area in which (1)* *and duration for which* certificates of registration shall be valid;

(b) Providing for facilitating the identification of motor vehicles by the assignment of distinguishing numbers to such vehicles and the display of number and name thereon, or in any other manner;

(c) Regulating the construction and equipment of motor vehicles including the provision and use of lights, bells, horns, brakes, speed indicaters or other appliances;

(*d*) Prescribing the authority by which, and the conditions subject to which, drivers of motor vehicles or any class of motor vehicles or any class of such drivers may be licensed, the fees payable in respect of such licenses, and (subject to the provisions of section 9.), the area within which, and the duration for which, licenses shall be valid;

*(dd) Prescribing the authority by which and the conditions and limitations subject to which licenses may be suspended or cancelled ;" (2)***

(*e*) Prescribing the conditions subject to which, and the fees (if any) on payment of which, motor vehicles may be let or plied for hire in public places, generally or in any particular public place;

(*f*) Prescribing the precautions to be observed when motor vehicles are standing in any public place;

(*g*) Limiting the speed at which motor vehicles may be driven generally or in any particular place,

(*h*) Prohibiting or regulating the driving of motor vehicles in public places, where their use may, in the opinion of the Local Government, be attended with danger or inconvenience to the public; and

(*i*) Providing generally for the prevention danger, injury or annoyance to the public or any person, or of danger or injury to property, or of obstruction to traffic.

(3) All rules made under this section shall be published in the local official gazette; and, on such publication shall have effect as if enacted in this act.

NOTES.

*(1) In clause (*a*) the words "and duartion for which" were inserted by Act, XV of 1924.

**(2) The clause (*dd*) was newly inserted by Act, XVII of 1920.

CONTROL.

1. **Compulsory, but general control.**—Under section 11, the Local Government, subject to the condition of previous publication, is bound to make rules for the purposes of :—

(*1*) Carrying into effect the provision of this Act, and

(2) regulating in the whole or any part of the territories under its administration, the use of motor vehicles or any class of motor vehicles in public places.

The owner of a motor car who has permitted or authorised the use of his car, is liable for any contravention of the rules framed by the Governor in Council under Section 11 of the Indian Motor Vehicles Act for the purpose of regulating the use of motor vehicles in Calcutta, committed by his licensee or servant during the period of such user, even though such owner may not have abetted the contravention. (*Baidaya Nath Bose Vs. Emperor.* 42 I. C. 601; 18 Cr. L. J. 985=22. C. W. N. 72=26 C. L. J. 37=45 Cal. 430.); referring 9 I. C. 480; 15 C. W. N. 390; 133 C. L. J. 335 12 Cr. L. J. 89). But see *Devi Dayal V. Emperor.* 127 I. C. 211.

2. **Discretionary but particular control.**—Without prejudice to the compulsory but general control, above mentioned, the Local Government is in its discretion empowered to make

rules particularly for or any of the following purposes —

(*a*) (*1*) Providing for the registration of motor vehicles,

(*2*) conditions of registration,

(*3*) fees payable in respect of and incidental to registration

(*4*) the issue of certificates of registration,

(*5*) the notification of

x. any changes of ownership and

y. (subject to the provisions of sec. 10), the area in which,

z. "and the duration for which" certificates of registration shall be valid.

Formerly the Local Government could not make rules as to the duration for which a certificate of registration could remain valid. But since the passing of sub-section (2) of section 11 of Act, XV of 1924, this can be done. (*Vide* clause (*dd*), which is newly added)

Certificate-fixing of time limit for, ultra vires —It is *ultra-vires* of the Local Government to fix a time limit in the registration certificate and to make a corresponding change in the Schedule D, as no power was given by S. 11. of the Indian Motor Vehicles Act to make rules for that purpose. 65 I C. 688=16 Bom. 646,=A. I R. 1922 Bom. 42. (*Sherston V. Emperor*)

But the rules made under Section 11 or any other provision of this Act, relating to "The registration of motor vehicles", do not apply to any motor "brought temporarily into British India by person intending to make a temporary stay there", or of any person, possessing, using or driving the same, provided that the requirements of any rules made under clause (*iii*) (1) of section 14 and applicable to such vehicle or person are complied with.

Inspection rules to be made clear as to the time, place and officer.—Per Ramesam, J. - "I think it is desirable to make the rules clear that there is some officer who is bound to inspect the car. The rules should also be made clear whether the owner of the car should take the car to the place which is his head quarters, or whether the officer may fix a place for the inspection, or owner of the car should go in search of the officer, unless these things are made clear. I think the vagueness of the rules make it possible to so manoeure the situation as to catch a man technically and deprive him of the renewal of his premit I do not think it ought to be possible for any body that it is not obligatory on him to inspect. It is very inconvenient to have a rule which requires a man to have his car inspected by a certain person but there is nobody bound to inspect the car", 97 I. C. 829 =A. I R (1924) Mad 1084

(*b*) Providing for facilitating the identification of Motor Vehicles by the assignment of distinguishing numbers to such vehicles and the displaying of numbers and plates thereon, or in any other manner;

But nothing in the Act or any rules made by the Local Govt. under sub-section (1), relating to "requirements as to construction, identification or equipment of such vehicles," section (15) (*b*), shall apply in the case of any motor vehicle "brought temporarily into British India by persons intending to make a temporary stay there". Sec. (14)(*i* to *ii*) or in the case of any person possessing, using or driving the same, provided that the requirements of any rule made under the aforesaid clause (Cl. (*ii*) of section 14), and applicable to such vehicle or person, are complied with

Under rule 12 of the rules made under the Motor Vehicles Act, it is the owner of the car, who is responsible for fixing the number plates on the car, and a person who has merely the use of the car, cannot be prosecuted for the absence of such plates, 97 I.C. 48.

(*c*) regulating

(1) the construction and

(2) equipment of motor vehicles and including
(3) the provisions and use of lights, bells, horns, brakes, speed indicators or other appliances ;

Under the U. P. rules the front portion of the vehicles does not mean the extreme end of the bonnet or the extreme end of the front portion. The front portion is the portion which is outside the seats and the steering wheel. (*Mohammad Said Vs. Emperor*, 46 I.C. 1004).

Absent Owner's Liability Driving without lights— Rules 10 and 17 of the Punjab Motor Vehicle Rules apply only to the driver or to a person using the car at the time it is being driven, and not to an absent owner, the owner of a car, therefore, is not liable to be fined because in his absence his servant drove his motor car without lights after lighting up time. *Sohan Singh Vs. Emperor*. 47 I. C. 444, 27 P R. 18 Cr., 37 P.W R. 18 Cr., 15 P.L.R. 1919; 19 Cr. L.J. 928

But where the driver of a motor lorry which was licensed to carry 10 passengers carried 17 passengers in the same and carried one of them on the mudguard and thereby committed a breach of r. 3 of the Punjab Motor Vehicles Plying for Hire Rules : *Held*, that the owners of the lorry could be convicted under S. 16 of the Motor Vehicles Act, read with the said rule, even though he was not present in the lorry when the driver committed the offence.—(*Deri Dayal V. Emperor* 127 I C. 211 ; distinguishing *Sohan Singh V. Emperor*, supra and *Indar Mohan Roy V. Emperor*, 110 I.C. 326 = A. I R. 1928 Cal. 410=47 C.L J. 460=29 Cr. L.J. 694 =10 A.I. Cr. R. 411)

An absent owner cannot be convicted for leaving a car, in a public place, without lights. 53 I.C. 825, 47 I. C. 444 referred to.

(*d*) prescribing the authority by which, and the conditions *subject to which, drivers may be* licensed, the fees, payable in respect of such licenses, and (subject to the provision of sec. 9)

the area within which and the duration for which licenses shall be valid;

As to what authority the Punjab Government has prescribed in the various distiricts, vide note under R. 3 (19) and R. 19 of the Pb. M. V. Rules 1931.

Neither anything in this Act, nor in any rule made by the Local Government under Sec. 11, relating to the licensing or qualifications of drivers of such vehicles," under Sec. 15 (c), is applicable in the case of

(1) any motor vehicle brought temporarily into British India by persons intending to make temporary stay there."

Sec. 14 (1) (*ii*)

(2) any person possessing or using or driving the same provided that the requirements of any rule made under Sec. 14 (1) (*ii*) and applicable to such vehicle or person are compiled with.

(*dd*) prescribing the authority by which and the conditions and limitations, subject to which, licenses may be suspended or cancelled.

This clause has been added by Act XXVII of 1920. Under the Madras Motor Vehicles Rules, a District Magistrate acts in pursuance of statutory authority vested in him both in issuing and cancelling a license issued to the owner of a bus plying for hire and no action can, therefore, be maintained by the bus owner against the Secretary of State for India for damages alleged to have been caused by a cancellation of the permit even though the Magistrate acts erroneously in so doing, 97 I.C. 847.

(*e*) prescribing the conditions subject to which, and the fees, (if any) on payment of which, motor vehicles may be let or plied for hire in public places, generally or in any particular public place;

For the Rules under this clause, framed for the Punjab, Vide Rules of the Punjab Motor Vehicle Rules, 1931.

Interpretation.—The word "ply" in the permit form F of the Oudh Government Rule 79, must be read to mean " ply for hire " (*Emperor V. Mohammad Hanif*, 7 O. W. N. 464=A. I. R. 1930 *Oudh*. 251.)

Let or plied for hire.—Under a Madras ruling, it has been held that a vehicle cannot be said " to ply for hire " on a public road simply because it is made use of as a hired vehicle on that road. Plying for hire means the act of waiting for soliciting custom and the act of plying for hire can only be done at the place and time that the hiring is affected. 106 I. C. 446.

'Plying for hire' meaning of.—Where the owner of a motor bus licensed to ply for hire, who was not himself a driver possessing a permit in form ' B ', drove the bus himself on a private errand: *Held*, that the words "in any circumstances" in r. 7 (1) of the Bombay Motor Vehicles Rules did not imply that once a motor car was licensed for being let or for plying for hire it could be driven only by a driver possessing a permit in form B irrespectively of whether it was at the time let or plying for hire, or not, and the owner was not guilty as the bus was not let or plying for hire when he was driving it. (*Ganesh Ramchandra Rajuade Vs. Emperor*. 32 Bom. L. R. 337 =A. I. R. 1930 Bom. 161=31 Cr. L. J. 931=125 I. C. 716.

" Ply" meaning of.—Holder of permit for plying using on another road, whether liable.

Where the driver of a motor vehicle who held a license to ply the vehicle on certain roads used the vehicle for transporting himself through a road in respect of which he held no permit for plying, and he was charged under S. 16 of the Motor Vehicles Act, read with r. 79 of the Rules: *Held*, that the word 'ply' in the permit meant 'ply for hire' and the accused was not liable to be convicted as he had not plied for hire in the latter road. (*Emperor Vs. Mohammad Hanif*, 126 I. C. 657=A. I. R. 1930 (Oudh) 251; 31 Cr. L. J. 1084).

To ply for hire.—The expression "to ply for hire" ordinarily means to exhibit a vehicle in such a way as to invite those who may desire to do so to hire it or to travel in it on payment of usual fares, and also to offer its use on payment to any member of the public, thereby soliciting custom. The owner of a bus driving it on a private errand cannot therefore be said to have been using it as a motor vehicle plying for hire. (A I. R. 1928 Mad. and A. I. R. 1929 Lah. 422 rel. on.) *Ganesh Ramchandra Vs. Emperor.* 32 Bom. L. R. 337=A. I. R. 1930 Bom. 161.

Plying for hire.—"To ply for hire" means to exhibit a vehicle in such a way as to invite those who desire to do so to hire it or to travel in it on payment of the usual fares and also to offer its use on payment to any member of the public thereby soliciting custom: (A. I. R. 1928 Mad. 166 Foll.; English cases considered). *Sardul Singh V. Emperor,* 116 I. C. 885=30 Cr. L. J. 700=10 Lah. 505=13 A. I. Cr. R. 123 =31 P. L. R. 95=A. I. R 1929 Lah. 422.

"Plying for hire" what constitutes.—The accused who had a shop at Dalhousie kept a private lorry for bringing supplies from Pathankot to their Dalhousie shop. They got orders for certain provisions from other shopkeepers of Dalhousie and in order to execute these orders they purchased goods *in their own names* from Pathankot, brought those goods in their private lorry to Dalhousie and delivered the same to their customers realizing the price from them. They had to charge higher rates than the Pathankot rates because they had to incur expenditure in first transporting the goods from Pathankot to Dalhousie before they could be in a position to deliver those goods to their customers. The accused were charged and convicted for having plied their vehicle for hire in contravention of r. 3 of the Punjab Motor Vehicles plying for Hire Rules: *Held*, that as the accused had not solicited custom or invited the general public to use their vehicle for transport of goods they could not be said to have plied for hire and the conviction was illegal. *Khushi Ram Shadi Ram V. Emperor (Lahore),* 132 I.C. 702=Cr. Revision No. 7, of 1931, Lahore High Court.

A person who lets out his car for hire in a Municipality is not bound to take a license from the District Board for taking the car beyond the Municipal limits and traversing any of the District Board roads, inasmuch as there is no hiring and therefore, no "plying for hire" in any of the District Board Roads, 106 I.C. 446. Rule 19 of the I.M.V. Act, 1914 runs as follows:—

"No Motor vehicle shall be driven on a street or other public place where the use of motor vehicles is prohibited in the case of a municipal area by the Municipal Commissioners, and in the case of areas outside municipal limits by the District Board of such areas." It is obvious that this rule was passed for the protection of roads, and it is not intended that a prohibition under this rule should distinguish between private vehicles plying for hire. A.I.R. 1925 C. 1026. Municipalities outside Calcutta cannot under Rule 19 impose tax on motor vehicles plying for hire. (*Ibid*).

(*f*) prescribing the precautions to be observed when motor vehicles are standing in any public place;

For a test for determining repugnancy in a rule under this clause, see *The Manager, Indian Motor Taxi Cab Company, Ltd., versus The Corporation of Calcutta*, 61 I. C. 641.

(*g*) limiting the speed at which motor vehicles may be driven generally or in any particular public place;

The owner of a motor lorry was prosecuted on the ground that he allowed the driver of the lorry to drive at an excessive speed. It appeared that he was not in the motor lorry at the time of the alleged offence and had cautioned the driver not to exceed the regulation speed and to drive with due care and caution. It was held that in the circumstances of the case having regard to the terms of the rule 3 Part II of the Rules regulating Motor Vehicles in Calcutta, made under section 11 of the Motor Vehicles Act, the owner was not liable. (*Varaj Lal Vs. Emperor,*

To ply for hire.—The expression "to ply for hire" ordinarily means to exhibit a vehicle in such a way as to invite those who may desire to do so to hire it or to travel in it on payment of usual fares, and also to offer its use on payment to any member of the public, thereby soliciting custom. The owner of a bus driving it on a private errand cannot therefore be said to have been using it as a motor vehicle plying for hire. (A. I. R. 1928 Mad. and A. I. R 1929 Lah. 422 rel. on) *Ganesh Ramchandra Vs. Emperor.* 32 Bom. L. R. 337=A. I. R. 1930 Bom. 161.

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82 I.C. 137=51 Cal. 948=28 C.W.N. 854=25 Cr. L. J. 1209=A.I.R. (1924) Cal. 985; *Edward Thornton Vs. Emperor*, 9 I.C. 480; 38 C. 415; 15 C.W.N. 390; 13 C.L.J. 335; 12 Cr. L.J. 89, dissented from). But see *Devi Dayal V. Emperor*. 127. I.C. 211, where master was made liable.

As to the localities in the Punjab within which the motor vehicles were not allowed to be driven at a speed more than 15 miles an hour, see, rule 19 of the Punjab Motor Vehicles Rules, 1915. But for the present day speed limit rule, see Rules 36 and 80 of the Pb M. V. Rules, 1931

(*h*) prohibiting or regulating the driving of Motor Vehicles in public places, where their use may, in the opinion of the Local Government, be attended with danger or inconvenience to the public and

(*i*) providing generally for the prevention of danger, injury or annoyance to the public or any person or of danger or injury to property, or of obstruction to traffic.

Rules under Section 11, providing for report of accidents to Police, are not ultra vires.—Rule 27 (c) which provides that the driver of the motor vehicle shall promptly report all accidents to the nearest police station is intended to apply only to accidents happening to the car which one is driving and which results in some injury, annoyance or danger to the public or of danger or injury to public property or obstruction to traffic and so understood it, is not *ultra vires*. (*Nagaraja Mooppanor Vs. Emperor*, A.I.R. 1928. Mad. 364=72 M.L.W. 425=108 I.C. 909=51 Mad. 504).

The rule 27 of the Madras rules, under the Indian Motor Vehicles Act, VIII of 1914, runs as follows :—The driver f the motor vehicle shall promptly report all occurrances of accidents to the nearest police station."

The petitioner was driving his car when on the way the car went out of control and jumped over a culvert, the parapet of which was only nine inches high, and fell into a channel. As a result of the accident the front axle of the car was bent and some chunam was knocked off on the eastern side of the culvert. Those who were in the car received slight injuries; but they were able to return to their homes in the same car: *Held*, that the incident is not an accident within the meaning of the rule. A.I.R. 1928 Mad. 364.

REILLY, J.—An accident which makes the control of the vehicle impossible in the usual way or more difficult than usual, may be a source of danger to other users of the road and a rule requiring the driver to report such an accident would be within the rule making power under the Act, A.I.R. 1928 Mad. 366.

Validity of rules made by the Local Governments.—The rules made by the Local Governments under section 11 of the I.M.V. Act, can have no effect as being enacted under the Act, unless they have been published in the Official Gazette of the Local Government concerned—(*Sec.* 11, *Cl.* (3).)

The authority prescribed under sec 11, Cl. (*d*) must, in the manner prescribed, give public notice of any rule, made by the Local Government under sec. 11, prohibiting or regulating the driving of motor vehicles in any public street or limiting the speed of motor vehicles in any such place; and for the purposes of giving effect to any such rule, shall display conspicuous notices at or near the place to which the rule refers. (*Section* 12).

Power of the Local Government to exclude areas from the operation of this part of the Act.—The Local Government can be authorised by notification in the Local Official Gazette, to exclude any area specified in such notification from the operation of Part III of the Act, and may, by a like notificaiton, exempt either generally or for a specified period any motor vehicle or class of motor vehicles from operation of all or any of the provisions of Part III. Section 13).

Sections 9 and 13.

82 I.C. 137=51 Cal. 948=28 C.W.N. 854=25 Cr. L. J. 1209=A.I.R. (1924) Cal. 985; *Edward Thornton Vs. Emperor,* 9 I.C. 480, 38 C. 416; 15 C.W.N. 390; 13 C.L.J. 335; 12 Cr. L.J. 89, dissented from). But see *Devi Dayal V. Emperor.* 127. I.C. 211, where master was made liable.

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(*h*) prohibiting or regulating the driving of Motor Vehicles in public places, where their use may, in the opinion of the Local Government, be attended with danger or inconvenience to the public and

(*i*) providing generally for the prevention of danger, injury or annoyance to the public or any person or of danger or injury to property, or of obstruction to traffic.

Rules under Section 11, providing for report of accidents to Police, are not ultra vires.—Rule 27 (*c*) which provides that the driver of the motor vehicle shall promptly report all accidents to the nearest police station is intended to apply only to accidents happening to the car which one is driving and which results in some injury, annoyance or danger to the public or of danger or injury to public property or obstruction to traffic and so understood it, is not *ultra vires.* (*Nagaraja Mooppanor Vs. Emperor,* A.I.R. 1928. Mad. 364=72 M.L.W. 425=108 I.C. 909=51 Mad. 504).

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Validity of rules made by the Local Governments.—The rules made by the Local Governments under section 11 of the I.M.V. Act, can have no effect as being enacted under the Act, unless they have been published in the Official Gazette of the Local Government concerned—(*Sec.* 11, *Cl.* (3).)

The authority prescribed under sec. 11, Cl. (*d*) must, in the manner prescribed, give public notice of any rule, made by the Local Government under sec. 11, prohibiting or regulating the driving of motor vehicles in any public street or limiting the speed of motor vehicles in any such place; and for the purposes of giving effect to any such rule, shall display conspicuous notices at or near the place to which the rule refers. (*Section* 12).

Power of the Local Government to exclude areas from the operation of this part of the Act.—The Local Government can be authorised by notification in the Local Official Gazette, to exclude any area specified in such notification from the operation of *Part III of the Act*, and may, by a like notificaiton, exempt either generally or for a specified period any motor vehicle or class of motor vehicles from operation of all or any of the provisions of Part III. Section 13).

Sections 9 and 13.

Liability of master omiting to inform servant— It is not an abetments of the offence for the master to omit to give information to his servant, unless the omission were illegal, that is to say, disobedience of an obligation imposed upon him by Law. 9 Bom. L.R. 10=5 Cr. L.J.176.

The owner of a motor car cannot, be held guilty of an abetment in merely omitting to give information to his employees as to the rules framed under the Bombay Motor Vehicles Act 1904 9 Bom. L.R. 159=5 Cr. L.J. 173.

Posting of Notices

12. The prescribed authority shall give, in the prescribed manner, public notice of any rule, made by the Local Government under section 11, prohibiting or regulating the driving of motor vehicles in any public place, or limiting the speed of motor vehicles in any such place; and for the purpose of giving effect to any such rule, shall display conspicuous notices at or near the place to which the rule refers.

NOTES.

Under this section only those rules under Sec. 11, which relate to "the prohibiting or regulating the driving of Motor Vehicles in any public place, or limiting the speed of motor vehicles in any such place; and for the purpose of giving effect to any such rule," are required to be displayed conspicuously by means of notices, at or near the place to which the rule refers. Any other rules need not be so displayed anywhere else.

Power to Local Government to exclude areas or motor vehicles from this part.

13. The Local Government may, by notification in the Local Official Gazette, exclude any area specified in such Notification from the operation of this part and may, by a like notification exempt, either generally or for a specified period any motor vehicle or class of motor vehicles from the operation of all or any of the provisions of this part.

NOTES.

In exercise of the powers under this section, the Punjab Government has declared that the provisions of section 10, shall not apply within the Punjab, to any motor vehicles registered, in the Indian States, mentioned in Appendix VI, attached to the Punjab Motor Vehicles Rules, 1931.—Vide Book II.

PART IV.

Motor Vehicles temporarily leaving or visiting British India.

Power of Governor-General in Council to make Rules

14. (1) The Governor General in Council may make rules for all or any of the following purposes, namely :—

(i) for the grant and authentication of any travelling passes, certificates or authorities for the use of persons temporarily taking their motor vehicles out of British India, or to drivers of such vehicles when proceeding out of British India for the purpose of driving such vehicles, and

(ii) prescribing the conditions subject to which motor vehicles brought temporarily into British India by persons intending to make a temporary stay there may be possessed, used and driven.

(2) All rules made under this section shall be published in the Gazette of India ; and, on such publication, shall have effect as if enacted in this Act.

NOTES.

Moter Vehicles temporarily leaving or visiting British India. – The *Governor-General in India in Council has been* empowered to make rules for all or any of the following purposes :—

(i) for the grant and authentication of any travelling passes, certificates or authorities for the use of persons temporarily taking their motor vehicles out of British India or to drivers of such

vehicles when proceeding out of British India for the purpose of driving such vehicles, and

(*ii*) prescribing the conditions subject to which motor vehicles brought temporarily into British India by persons intending to make a temporary stay there may be possessed, used and driven.

But under clause (2), the rules made under section 14, shall be published in the Gazette of India ; and. on such publication, shall have affect as if enacted in this Act. (47 I.C 444).

As to the rules regarding the Motor Vehicles brought temporarily from the Native States, into British India, see Chapter III, Book II

As to the rules regarding the Motor Vehicles brought temporarily into British India, from Afghahistan, vide Chapter IV Book II

Saving

15. Nothing in this Act, or in any rule made* "by the Local Government under section 11" relating to:—

(*a*) the registration of motor vehicles,

(*b*) requirement as to construction, identification or equipment of such vehicles, or

(c) the licensing or qualifications of drivers of such vehicles,

shall apply in the case of any motor vehicle such as is referred to in clause (*ii*) of sub-section (1) of section 14, or of any person possessing, using or driving the same ; provided that the requirements of any rule made under the said clause and applicable to such vehicle or person are complied with.

NOTES.

*The words under quotation have been substituted by Act, 13 of 1916.

This section can be better explained in this way :

" In the case of

(1) " Motor vehicles brought temporarily into British India by persons intending to make a temporary stay there " as mentioned in clause (*ii*) of sub-section (1) of sec. 14, or

(2) any person possessing, using or driving the motor vehicle referred to as above ;

Nothing in this Act or in any rule made by a Local Government under Section 11, relating to

(*a*) the registration of Motor vehicles,

(*b*) requirements as to construction, identification or equipment of such vehicles, or

(*c*) the licensing or qualification of drivers of such vehicles,

shall apply".

In other words, the Motor Vehicles brought temporarily into British India, or the persons possessing, using or driving them, shall not be exempt from the operation of the I. M. V. Act, or any rule made thereunder, which is not mentioned in this section and does not relate to matters mentioned in clauses (*a*) to (*c*) under Sec. 11.

PART V.

MISCELLANEOUS

16. Whoever contravenes any of the provisions of this act or of any rule made thereunder shall, if no other penalty is elsewhere provided in this act for such contravention, be punishable with fine which may extend to one hundred rupees, and, in the event of such person having been previously convicted of an offence under this act or any rule made thereunder, with fine which may extend to two hundred rupees.

Penalties.

NOTES.

Penalties.—For the breach of the provisions of section 5 (Reckless Driving) a penalty is provided in that very section. For the breach of any other provisions of the Act or any rules made thereunder, a penalty of fine extending upto one hundred rupees, but in the case of a previous conviction under the Act or the rules made thereunder, upto rupees two hundred, is provided for by section 16 of this Act. Apart from this, under section 18, a Local Government and even a "prescribed authority" are empowered to cancel or suspend licenses, or disqualify any person from obtaining a license under this Act. But it is not mentioned when and under what cases such an action can be taken. In this very section a court convicting any person under the Act or the rules made thereunder or of any offence in connection with the driving of a Motor Vehicle, is authorised to cause the endorsement of the conviction, to be made on the license, if any.

Rule 16-A of the Madras Motor Vehicle Rules states that "no person may cause or permit a motor vehicle to stand, or be used in a public place between half an ' after sunset or half an hour before sunrise unless it burning as stated in the rules". An owner

vehicle was convicted under section 16 of the Act for having left his car without a light burning, contrary to the above rule. But it was held that the Rule does not apply to an absent owner and the conviction of the owner under the rule for not lighting the car is illegal when the owner was not in the car or so near it as to be aware that the lamps were lighted. *In re Krishna Swami Iyer*, 26 M. L. 331; 10 L. W. 399=20 Cr. L. J. 825=53 I. C 825; referring 27 P. R. 18 Cr =47 I. C. 444).

Offence under sec. 16.—Section 16 of the Motor Vehicles Act does not create any offence. It is merely a penalty clause prescribing the penalties which may be inflicted upon any body who contravenes any of the provisions of the Act or any rule made under the Act. (*Emperor V. Ranunjai Singh*, 108 I. C. 230=26 A. L. J. 331=A. I. R. 1928 All. 261.) In a cases under the Motor Vehicles Act, where there are a variety of offences included either in one section, or in a code of rules, it is essential both for the purpose of the proper conduct of the Court's business itself, as well as for the protection of a respectable class of peoples summoned for sometimes trivial and sometimes serious offences, that it should be known from the first what it is which the Court, has in fact to deal with.

Defect, omission of section in summons is a—Omission in a summons to specify the sections of the Motor Vehicles Act, or rules made thereunder for breach of which a person was being prosecuted is a serious defect. A. I.R. 1928 All. 261, Rel. on. *Hasan Ahmad V. Emperor*, 111 I.C. 127= 50 All. 876=29 Cr. L. J. 799=A.I.R. 1928 All. 492.

N- E[illegible] Mail Cars.—There is no [illegible] motor car which carries [illegible] exempt from the operation of the ordinary rules about license for drivers and those restricting the number of passengers to be carried under the permit. *Aha Appa Dharawade Vs. Emperor*, 100 I C. 1053=19 Bom. L.R. 191=28 Cr. L.J. 397=A.I.R. 1927 Bom. 154.

Applicability of the section.—Mr. P.C. Chaudhri. resident of No. 4 Bankshall Street, Calcutta, came to Allahabad

on a short visit and brought with him his motor car bearing No. 23,047. On 14th April, 1929, a constable on traffic duty demanded the production of the registratiod certificate, which was not produced. He was prosecute. for contravening the provisions of R. 11 of the U. P.M V. rules and fined Rs 5. Rule 11 aforesaid requires "the owner of the vehicle in respect of which a certificate of registration has been issued shall be bound to produce the certificate when required so to do by the registering authority" It was held that "there is nothing in the wording of these rules to show that R. 11 applies to cars registered outside the U. Provinces. It is clear from the definition of registering authority" in R. 3 that this expression as used in S 11 means the authority who had registered the car under the rules in force in the U Provinces and as the applicants' car was not registered in the U P, in my view, R 11 has no application to his case (*P.C Chaudhri Vs. Crown*, A.I.R. 1930 All 34=120 I C 272=31 Cr. L J. 40)

Liability—Where the driver of a motor lorry does not use the lorry in conformity with the conditions specified in the road certificate the owner of the lorry is guilty of an offence under S 16 M.V. Act read with R. 3, Punjab Motor Vehicles Plying for Hire Rules, 1922 even though he is not present when the breach of the condition takes place Where, therefore, a driver was found carrying 17 (when only ten could be carried under the Road Certificate) and one passenger was sitting on mudguard, which was prohibited. *Held* that there being clear breach of the road certificate, the owner was liable under R 3, Punjab M. V. Plying for Hire Rules, 1922, although he was not present 38. Cal. 415, 45. Cal. 430, and A I.R 1924 Cal. 985 Rel. on, 27 P.R. 1918 ; A.I.R. 1928 Cal. 410. and A.I R. 1924 Rang 63. Dist., *Devi Dayal Vs Emperor*, A I R. 1930 Lah. 863.

Liability: Person responsible for fixing board is the owner.—The person responsible for having a board fixed upon the vehicle under R. 12 is owner and not the person who, from time to time, may have the use of the car. Where a car is purchased by an estate for the use of its Manager the Manager cannot be said to be the owner under R. 12. (*Ahlu*

Vs. Emperor, 97. I.C. 48=7 P.L.T. 542=27 Cr. L.J. 1072= A.I.R. 1926. Pat. 446

Liability of owner.—The condition of a permit granted to a motor vehicle intended for being let or for plying for hire, prohibiting the use of the vehicle *for the carriage of more* than prescribed number of persons applies not only when the vehicle is let or plying for hire but also when the vehicle is allowed by the owner to be used grauiously. (*Emperor Vs. Ram Tahal Singh*, A.I.R. 1929 Pat. 522=31 Cr. L.J. 436=9 Pat. 169=122 I.C. 580.

Liability, Absent Master's.—Absent master is not criminally liable for fast driving where he had cautioned the driver not to exceed the regulation speed and to drive with due cure and caution. *Varaj Lall Vs. Emperor*, 82. I.C. 137=51 Cal. 948=28 C.W.N. 854=25 Cr. L. J. 1209=A. I. R. 1924 Cal. 985.

Liability-Owner's Criminal.—Owner of a Motor car is not criminally liable for negligence of the driver in driving the car without properly illumitnated rear lights, if the owner has made provision for such illumination. *Mahomed Surty Vs. King Emperor*, 76 I.C. 564=1 Rang. 600=A.I.R. 1924 Rang 63.

Absence of particulars of offence in summons is defective.—A summons issued by a Magisterial Court, which does not contain, in the form prescribed by the Statute, particulars of the place where, the time when, and the nature of the offence charged, may be disregarded by the person summoned and proceedings taken thereon, if objected to must necessarily be invalid. (108 I. C. 230).

Per Walsh, J—The sooner the authorities abandon the practice of prosecuting motorists, or indeed any other people, under sections which do not prescribe an offence at all the better. 108 I.C. 230. There isno prohibition against the driving of a motor car by a properly licensed person who has not got his license with him, is is only the non-production of the license upon demand by a police officer that is an offence. 65 I. C. 425.

Order of suspension of license, appealable.—The suspension of a license of a motor driver under section 18 (2) of the Motor Vehicles Act, if ordered in addition to the imposition of a fine for an offence under section 16 of the Motor Vehicles Act, is a part of the sentence, as an order under Section 565 of the Cr. P. Code is. An order of suspension under section 18 (2) as well as the order imposing fine for an offence under section 6 of the Motor Vehicles Act are both appealable under section 407 of the Cr. P Code, and are also subject to revision by a High Court, *following*, 20 I. C. 214, 14 Cr. L. J 390=65 I. C. 425.

A person driving a motor car for hire without a driver's permit as required by the rules is guilty of a breach of the rules and liable to be convicted under section 16 of the Motor Vehicles Act. (*Aba Appa Dharwade Vs. Emperor.* 100 I. C. 1053= A. I. R. 1927 Bom. 151. See also, 105 I. C. 674.)

No conviction when not specifically charged--The fact that an unlicensed person was charged with driving a motor car without a license and pleaded guilty to that charge is not sufficient to justify a court in convicting the motor driver of having allowed him to drive, where he was not specifically charged with that offence under Motor Vehicles Act, S. 16. (*Mohammad Jamal V. Emperor.* 119 I. C. 536=30 Cr. L. J. 1077=A. I. R. 1930 Sindh 64.)

The best way of punishing dangerous drivers.—A fine inflicted on an accused person should not be excessive having regard to his pecuniary means. The best way to stop dangerous driving of motors is for the Court, on a conviction of the offender under section 5 of the Act, instead of imposing of a fine disproportionate to the pecuniary means of the latter, to exercise the powers under sub-section (2) of section 18 of the Act, and to cause particulars of the conviction to be endorsed on the license held by the offender and to cancel or suspend that license, or to declare the offender disqualified for obtaining a license either permanently or for such period as it thinks fit. (90 I. C. 320=A. I. R. 1925 Bom. 526=27 Bom. L. R. 1056.)

Per Aston, J—"Where there has been special legislature for a particular type of offence, the maximum punishment provided in such special Act for that particular offence may be accepted as an appropriate maximum", though the punishment for rash and negligent driving to the public danger, provided by section 279 of the Code, is greater, the more general provisions of the Code, are calculated to remind the magistrate, when the prosecution is under that Code, and the danger is alleged to have been caused, by rash and negligent driving, that it is not only on the part of the drivers of vehicles, that the Code enforces the Civil duty of circumspection, from the neglect of which the improbability of culpable negligence arises. (8 Bom. L.R. 414=3 Cr L. J. 494).

Certificates of good driving for 13 years, whether license can be cancelled.—Where the accused had been driving cars regularly for about 13 years and had obtained a large number of good certificates from a varieties of masters, and where he had never before had a conviction for bad driving. *Held*, that the verdict that he was unfit to hold a license because he was not a good driver was ridiculous in view of his record and must be cancelled. A. I. R. 1925 All. 798=26 Cr. L. J. 1254.

Overloading.—Suspension of a permit for an offence of overloading a motor cannot be permitted. (*Sheodatt Roy V. Emperor*. 110 I. C. 803=29 Cr. L. J. 771=A. I. R. 1929 Pat. 64.

Proof.—Time at which a car was found driven without proper lights must be accurately proved (*Aklu V. Emperor* 97 I. C. 48.)

As to what is the meaning of "*ply*" or "*plying for hire*" vide notes under clause (*e*) of section 11 of this Act.

Trial under section 16.—S. 403, Cr. P. Code bars the trial of the accused for an offence under S. 16 of the Motor Vehicles Act, so long as the acquittal of the accused under sec. 338, I. P. Code on the same facts remains in force. (45 Cal. 727 foll.) Applicability of S. 403 does not depend upon additional evidence being available or not. (*Mahsudan Mistry*

V. *King Emperor*. 59 I. C. 207=22 Cr. L. J. 63=A. I. R. 1921 Pat. 22.)

Cognizance of offence.

17. No court inferior to that of a Presidency Magistrate or a Magistrate of the second class shall try any offence punishable under this Act or any rule made thereunder.

NOTES.

Who can try offences under this Act.—All courts not inferior to the court of a Presidency Magistrate or a Magistrate of the Second class, can try any offence under this Act or any rule made thereunder.

Procedure.—For the breach of any of the provisions of the I. M V. Act, or of the rules made thereunder, the maximum punishment of fine only upto Rs. 200, can be inflicted. Consequently such breaches are "summons cases," whose procedure of trial is embodied in the following sections 241 to 249 of the Cr. P. Code.

"*Section* 241.—The following procedure shall be observed by Magistrates in the trial of summons cases."

"*Section* 242.—When the accused appears or is brought before the Magistrate, the particulars of the offence of which he is accused shall be stated to him, and he shall be asked if he has any cause to show why he should not be convicted ; but it shall not be necessary to frame a formal charge."

"*Section* 243.—If the accused admits that he has committed the offence of which he is accused, his admission shall be recorded as nearly as possible in the words used by him and, if he shows no sufficient cause why he should not be convicted the Magistrate may convict him accordingly."

NOTE.—Under the old Code the Magistrate was bound to convict, but now he "may convict".

Per Aston, J.—"Where there has been special legislature for a particular type of offence, the maximum punishment provided in such special Act for that particular offence may be accepted as an appropriate maximum", though the punishment for rash and negligent driving to the public danger, provided by section 279 of the Code, is greater, the more general provisions of the Code, are calculated to remind the magistrate, when the prosecution is under that Code, and the danger is alleged to have been caused, by rash and negligent driving, that it is not only on the part of the drivers of vehicles, that the Code enforces the Civil duty of circumspection, from the neglect of which the improbability of culpable negligence arises. (8 Bom. L.R. 414=3 Cr L. J. 494).

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hearing may be adjourned, the complainant does not appear the Magistrate shall, notwithstanding anything hereinbefore contained acquit the accused, unless for some reason he thinks proper to adjourn the hearing of the case to some other day :

Provided that, where the complainant is a public servant and his personal attendance is not required, the Magistrate may dispense with his attendance, and proceed with case."

The effect of acquittal is a bar of fresh trial on the same facts 26 M. L. J 160, 3 C. W. N. 760.

Section 248.—If a complainant, at any time before a final order is passed in any case under this Chapter, satisfies the Magistrate that there are sufficient grounds for permitting him to withdraw his complaint, the Magistrate may permit him to withdraw the same, and shall thereupon acquit the accused "

"*Section* 249.—In any case instituted otherwise than upon complaint a Presidency Magistrate, a Magistrate of the first class, or with the previous sanction of the District Magistrate, any other Magistrate, may, for reasons to be recorded by him, stop the proceedings at any stage without pronouncing any judgment either of acquittal or conviction, and may thereupon release the accused."

APPEAL.

An appeal from the order of a Second Class Magistrate under this Act, lies to the District Magistrate, but when a Magistrate of the first class passes, a sentence of fine only exceeding Rs. 50 then an appeal lies to the Sessions Judge. If a first class Magistrate, passes a sentence of fine of rupees fifty or less, then there is no appeal, but a revision lies to the Sessions Judge, for reference to the High Court. The appeal, must be lodged within 30 days from the date of the order appealed against.

Order of suspension of a license, is appealable—The suspension of a license of a Motor driver under section 18 (2) of the Motor Vehicles Act, if ordered in addition to the im-

"*Section* 244.—(1) *If the Magistrate does not co the accused under the preceding section or*, if the accused not make such admission the Magistrate shall procee hear the complainant (if any) and take all such evidence may be produced in support of the prosecution, and also hear the accused and take all such evidence as he produce in his defence *Provided that the Magistrate shall not be bound to hear any person as complainant in any cause in which the complaint has been made by a Court.*

(2) The Magistrate may, if he thinks fit, on the application of the complainant or accused, *issue a summons to any witness directing him to attend or to produce any document or other thing.*

(3) The Magistrate before summoning any witness on such application, require that his reasonable expenses, incurred in attending for the purposes of the trial, be deposited in Court."

NOTES.

The Court must examine prosecution witnesses, 20 Mad. 338; 18 All 221. So too, the witnesses tendered for the accused 12 W. R. 77, 13 W. R. 63, 2 Pat. L. J. 330

Section 245.—(1) If the Magistrate upon taking the evidence referred to in S. 244 and such further evidence (if any) as he may, of his own motion, cause to be produced, and (if he thinks fit) examining the accused, finds the accused not guilty, he shall record an order of acquittal".

(2) *Where the Magistrate does not proceed in accordance with the provisions of section 349 or 562 he shall, if he finds the accused guilty, pass sentence upon him according to law.*

Section 246.—A Magistrate may, under section 243 or section 245, convict the accused of any offence triable under this chapter which from the facts admitted or proved he appears to have committed, whatever may be the nature of the complaint or summons."

Section 247.—If the summons has been issued on complaint, and upon the day appointed for the appearance of the accused, or any day subsequent thereto to which the

hearing may be adjourned, the complainant does not appear the Magistrate shall, notwithstanding anything hereinbefore contained acquit the accused, unless for some reason he thinks proper to adjourn the hearing of the case to some other day:

Provided that, where the complainant is a public servant and his personal attendance is not required, the Magistrate may dispense with his attendance, and proceed with case."

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Order of suspension of a license, is appealable—The suspension of a license of a *Motor driver* under section 18 (2) of the Motor Vehicles Act, if *ordered* in addition to the im-

position of a fine for an offence under section 16 of the Motor Vehicles Act, is as a part of the sentence, as an order, under section 565 of the Cr. P. C., is. An order of suspension under section 18 (2), as well as, the order imposing fine for an offence under section 16 of the Motor Vehicles Act are both appealable under section 407 of the Cr. P. Code and also subject to revision by a High Court. 65 I. C. 425.

Cancellation and suspension of license and disqualification for obtaining license.

18. (1) A Local Government may, in its discretion :—

(i) cancel or suspend any license granted under this Act, and

(ii) declare any person disqualified for obtaining a license under this Act either permanently or for such period as it thinks fit.

*" (1A) The prescribed authority may, subject to such conditions and limitations as may be prescribed, cancel or suspend any license granted under this Act."

(2) Any Court by which any person is convicted of an offence against the provisions of this Act for any rule made thereunder or of any offence in connection with the driving of a motor vehicle shall, if such person holds a license under the Act, cause particulars of the conviction to be endorsed thereon and may, in respect of such person and of his license, if any, exercise the like powers as are conferred by sub-section (1) on the Local Government :

Provided that no order made by a Court under this sub-section shall affect any person or license for a period exceeding one year from the date of such conviction.

(3) Any Court before which the holder of a license under this Act is accused of any offence mentioned in sub-section (2) may suspend such license until the termination of the proceedings before it.

(4) A copy of every order of cancellation, suspension or disqualification made under this section in respect of a license or the holder of a license shall be endorsed on the license, and a copy of every endorsement, in accordance with the provisions of this section, shall be sent to the authority by which such license has been granted.

(5) Every holder of a license shall when called upon to do so, produce his license before any authority acting under this section.

(6) A person whose license has been cancelled or suspended in accordance with the provisions of this section, shall, during the period for which such order of cancellation has effect, or during the period of suspension, as the case may be, be disqualified for obtaining a license.

(7) No person whose license has been endorsed or who has been disqualified for obtaining a license shall apply for, or obtain, a license without giving particulars of such endorsement of disqualification.

NOTES.

**The words within quotations have been substituted by Act 27 of 1920.*

How far the Local Government can interfere.—Besides the Court, the Local Government can cancel or suspend any license granted under the Act and declare any person disqualified for a period as it thinks fit to do so.—Sec. 18 (1) (*i*) to (*ii*).

The Local Government, under section 18 (*ii*) has disqualified permanently or for a limited period, the following holders of driving licenses from obtaining driving licenses :—

1. Hira Singh son of Basant Singh Ramdasia of Dhariwal P. S. Nakodar, District Jullundur permanently—P. G. N. 1530 of 11th January 1929.

2. Net Ram son of Shimbhu, Brahman of Saidpur, tehsil Sonepat, District Karnal.-5 years from 1st February 1929—P. G. N./5604 of 12th February 1929.

3. Sheikh Abdur Rahim son of Sheikh Nabi Bux of Kasur, district Lahore aged 26½, the words "Abdur Rahim" tattoed on the right arm—permanently—P. G. N./24250 of 27th July 1931.

4. Abdur Rahman son of Mohd ji, Awan of Sihana, tehsil Murree, district Rawalpindi by D. M. Rawalpindi, permanently, P. G. N. 30738 of 5th October 1929.

5. Harnam Singh son of Chet Singh, Jat, Amritsar—For five years—P. G. N./32471 of 8th November 1928.

6. Nazar Mohammad son of Sultan Khan, Dhund of Awarah, tehsil Muree, Rawalpindi district License No. 998 of 1928—for 5 years.

7. Ganga Bishan son of Hari Ram Khattri, new Mohallah Rawalpindi, license No. 399 of 1929—for 3 years.

8. Kabir son of Abdulwahid, Pathan of Sonepat, district Rohtak—5 years from, 8th January 1929.

Prescribed authority's power to interfere.—Since the passing of the Act, 27 of 1920, even a "prescribed authority" can cancel or suspend any license granted under the Act, but subject to such conditions and limitations, as may be prescribed by the rules under the Act.—(Sec. 18 (1 A.)

Suspension during the pendency of the case.—A court has also the power of suspending of a license of a person accused of any offence under the Act, or a rule made thereunder or in connection with the driving of a motor vehicle until the termination of the proceedings before it. (Sec. 18 3).)

Copy of the order to be endorsed on the license.—Whenever an order of cancellation or disqualification is made under section 18 of the Act, in respect of a license or the holder of a license, a copy of such order, shall be endorsed on the license and a copy of every endorsement in accordance with the provisions of section 18, shall be sent to the authority by which such license had been granted (Sec. 18 (4).)

A holder of a license, when called upon to do so by any authority acting under section 18, is bound to produce his license before. it (Sec. 18 (5).)

Disqualification of a holder of a suspended or cancelled [illegible]

Moreover a person whose license has been endorsed or who has been disqualified for obtaining a license, can not apply for or obtain a license without giving particulars of such endorsement of disqualification. (Sec. 18 (7).)

Futher power of the Court.—A court while convicting a person holding a license under this Act or any rules made thereunder or any offence in connection with the driving of a motor vehicle has the power to cause particulars of the conviction to be endorsed on the license. A court in respect of person and of his license if any, has also the same powers as the Local Government under section 18 (1) (i) (ii), as mentioned above has. But such powers of the court are limited to such orders as are effective for a period not exceeding one year from the date of the conviction. There are no such limitations on the powers af the Local Government.

The Crown cannot be made liable for the action of a Government servant purporting to act under a statutory

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The Crown cannot be made liable for the action of a Government servant purporting to act under a statutory

power conferred upon him, inasmuch as his action when he purports to exrcise a statutory power is not as agent of the Crown, 97 I C. 847.

Under the Madras Motor Vehicles Rules, a District Magistrate acts in pursuance of statutory authority vested in him both in issuing and cancelling a license issued to the owner of a bus plying for hire and no action can, therefore, be maintained by the bus owner against the Secretary of State for India for damages alleged to have been caused by a cancellation of the permit even though the Magistrate acts erroneously in so doing, (97 I.C. 847).

Professional drivers should be dealt with under sec. 18.— In the case of dangerous driving by persons who earn their livelihood by driving motor vehicles, the court should exercise its powers under section 18 (2), under which such court "shall cause particulars of the conviction to be endorsed on any license held by the accused, and may (1) cancel or suspend that license, or even (2) declare the accused disqualified for obtaining a license either permanently or for such period as it thinks fit. The exercise of that power will have a very deterrent effect especially in the case of persons who earn their livelihood by driving motor vehicles. *Emperor Vs. Basappa Rachappa*, 90 I. C. 320=A. I. R. 1925 Bom. 526=27 Bom. L.R. 1056.

Order of suspension as well as of fine, both appealable— The suspension of a license of a motor driver under section 18 (2) of the Motor Vehicles Act, if ordered in addition to the imposition of a fine for an offence under section 16 of the Motor Vehicles Act, is a part of the sentence, as an order under section 565 of the Cr. P.C. is. An order of suspension under 18 (2) as well as the order imposing fine for an offence under section 16 of the Motor Vehicles Act are both appealable under section 407 of the Cr. P.C. and are also subject to revision by a High Court. (65 I.C 425.)

Section 11 (2) (*a*) of the Motor Vehicles Act formerly did not empower a Local Government to describe by rule the duration of time during a whicha certificate of registra-

tion shall be valid—65 I.C. 633. But now since the passing of Act, XV of 1924, the Local Government can do so.

Repeals

19. The enactments mentioned in the schedule are repealed to the extent specified in the fourth column thereof;

Provided that any appointment, notification, order, rule, form or license made or issued under any of the said Acts, shall so far as it is not inconsistent with the provisions of this Act, continue in force and be deemed to have been issued under the provisions of this Act, unless and until it is superseded by any appointment, notification, order, rule, form or license made or issued under this Act :

SCHEDULE.

(See Sec. 19)

ENACTMENTS REPEALED.

Year.	Number	Short Title.	Extent of repeal.
1912	XII.	I. Act of the Governor-General in Council (1) The Motor Vehicles International Circulation Act, 1912.	The Whole.
		II. Madras Act.	
1907	I.	The Madras Motor Vehicles Act, 1907.	The Whole.

Year.	Number.	Short Title.	Extent of repeal.
		III. Bombay Act.	
1904	II.	The Bombay Motor Vehicles Act, 1904.	The Whole
		IV. Bengal Act.	
1903	III.	The Motor Car, & Cycle Act, 1903.	The Whole
		V. United Provinces Act.	
1911	II.	The United Provinces Motor Vehicles Act, 1911.	The Whole
		VI. Punjab Act.	
1907	II.	The Punjab Motor Vehicles Act, 1907.	The Whole
		VII. Burma Act.	
1906	II.	1. The Burma Motor Vehicles Act, 1906.	The Whole

The amending Acts are:—

1914	XVII	1. The amending Act 1914	In the proviso to section 9, the words "by such authority and"
1916	XIII	2. The Amending Act 1916.	In section 15, for the words "there-

Year.	Number.	Short Title.	Extent of repeal.
			under" the words and figures "by the Local Govt. under section 11" shall be substituted.
1920	XXVII	3 The Indian Motor Vehicles Amending Act, 1920.	Clause (*dd*) in Sec. 11, is newly inserted.
1924	XV	4. The Indian Motor Vehicles Act, XV of 1924.	In clause (*a*) of sub-section 2 of sec. 11 after the words "Area in which" the words "and the duration for which" shall be inserted;

BOOK II.

Containing Rules.

BOOK II.

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CHAPTER I.

The Punjab Motor Vehicles Rules, 1931

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MAIN HEADS.

THE PUNJAB MOTOR VEHICLES RULES, 1931.

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(UNDER MAIN AND MINOR HEADS.)

Part I — Preliminary Definitions.

CHAPTER I.

The Punjab Motor Vehicles Rules, 1931

No. 20622.—of 6th June, 1931. In exercise of the power conferred by Section 11 of the Indian Motor Vehicles Act (Act VIII of 1914), the Governor in Council is pleased to make the following rules in supersession of the rules contained in Punjab Government notifications No. 552, dated 1st April 1915, No. 553, dated 1st April 1915, and No. 11379, dated 1st April 1922, as subsequently amended

RULES.

PART I.—PRELIMINARY DEFINITIONS.

Short title

1. These rules may be called the Punjab Motor Vehicles Rules, 1931.

Extent.

2. They shall extend to the whole of the Punjab, and they shall come into force on the 1st of July, 1931.

Definitions

3. In these rules, unless there is anything repugnant in the subject or context—

(1) "The Act" means the Indian Motor Vehicles Act, 1914 (Act VIII of 1914).

(2) "Axle-weight" means the total weight transmitted by the wheels on an axle to the surface whereon a laden motor vehicle or trailer rests.

(3) " Diameter " of a wheel means the diameter measured between the two opposite points on the outer surface of the tyre which are farthest apart.

(4) "Financial year" means the period from the 1st of April of one year to the 31st of March of the following year.

(5) "Heavy" as applied to a motor vehicle means having a registered carrying capacity exceeding two tons; provided that a road roller shall be deemed to be a heavy motor vehicle.

(6) "Hill road" means any road which has been declared by the Local Government by notification in the Gazette to be a hill road.

NOTES.

OR

P. G. N.*25413, 8th August, 1931. With reference to the definition of "Hill Road" contained in Rule 3 (6) of the Punjab Motor Vehicles Rules 1931, the Governor in Council is pleased to declare the following roads to be hill roads for all the purposes of the said rules:—

Name of Division.	Name of District.	Name of Road.
1. Ambala	Ambala	(1) The portion of the Pinjaur-Kalka-Simla Road which lies in the Ambala District.
		(2) The portion of the Dharampur Kasauli Road which lies in the Ambala District.
	Simla	(3) All roads in the Simla District.
2. Jullundur	Kangra	(1) From Chakki to Ghatta.
		(2) From Gaggal to Dharamsala
		(3) All roads in the Civil Station of Lower Dharamsala.
		(4) From Mataur to Kangra.
		(5) From Chetru to Mataur via Bagli.
		(6) From Kangra to Bharwain.
		(7) From Ranital to Nadaun (Bharoli).
		(8) From Oat to Manali
	Hoshiarpur	(9) From Daulatpur to Bharwain
		(10) From Hoshiarpur to Bharwain

		(11) From Hoshiarpur to Una
		(12) From Una to Pirnigaha
		(13) From Jaijon to Una
		(14) From Gagret to Jowar
		(15) From Garhshankar to Santokhgarh
		(16) From Garhshankar to Nurpur
		(17) From Balachaur to Nurpur
3. Lahore	Gurdaspur	The portion of the Chakki Dalhousie Road which lies in the Gurdaspur District.
4. Multan	Dera Ghazi-khan	The Peshin Road between Sakhi Sarwar and Bewatta.
5. Rawalpindi	Shahpur	(1) From Nurewala to Sakesar via Kathwai, Naushera and Uchhali.
		(2) From Uchhali to Padhrur via Mardwal, Naushera, Jaba and Pail.
		(3) From Bhukki to Pail via Sodhi Jai-wali
	Jhelum	(4) From Khewra to Choa Saidan Shah and Basharat.
		(5) From Choa Saidan Shah to Kallar Kahar
		(6) From Bhaun to Kallar Kahar
		(7) From Taraki to Domeli and Padhri

	(8) From Choa Saidan Shah to Dhok Talian
	(9) From Kallar Kahar to Sardhi
	(10) From Darapur to Jalalpur
Rawalpindi	(11) The portion of the Rawalpindi-Murree-Kohala Road from the toll-bar at the 17th Mile to Kohala.
	(12) The portion of the Murree-Kohala Bridle Road from Gharial to Rewat.
	(13) The portion of the Kuldana-Nathia Gali Road which lies in the Rawalpindi District.
	(14) From Sihala to Kahuta and Panjar.
	(15) From Jhikka Gali to Gharial
Attock	(16) From Campbellpur to Chhoi and Basal
	(17) From Hasanabdal to Fatehjang.
Attock and Jhelum	(18) From Tallagang to Kallar Kahar.

(7) "Light" as applied to a motor vehicle means having a registered carrying capacity not exceeding two tons.

(8) "Metal tyre" means a tyre made of metal.

(9) "Motor bus" means a public motor vehicle which is used for the carriage of passengers and light

NOTES—As to what is the meaning of "let for hire" or "plying for hire", see notes on section 11 (e)

As to what is a "public place" see section 2 of this Act

(19) " Registering Authority " means the District Magistrate or such other Magistrate as may be deputed by the Local Government in this behalf.

NOTES.

In exercise of the powers conferred by sec. 11(2)(*d*) of the Indian M. V. Act VIII of 1914 with reference to rule 3(19) of the Pb. M. Vehicles Rules, 1931, the Governor in Council is pleased to appoint and hereby appoints the officers mentioned in the 2nd column, in addition to the District Magistrate, of the Districts mentioned in the first column to be a Registering Authority, for all the purposes of the said rules within the limits of the District mentioned in the first column and by virtue of notification mentioned in the third column :—

District	Registering Authority in addition to Magistrate.	P. G. Notification.
Jhelum	Treasury Officer Jhelum	25280 of 8. 8. 31
Lyallpur	" Lyallpur	25282 of 8. 8. 31
Lahore	" Lahore	24490 of 29. 7. 31
Gujranwala	" Gujranwala	26501 of 25. 8. 31
Sialkot	" Sialkot	26497 of 25. 8. 31
Gujrat	" Gujrat	28830 of 23 9. 31
Attock	Treasury Officer Attock	27799 of 11. 9. 31
Amritsar	Treasury Officer	966 of 9. 1. 32
Multan	Treasury Officer	28785 of 22. 9. 31 and 980 of 9. 1. 32
Gurgaon	Treasury Officer Gurgaon	36328 of 2. 12. 31
Karnal	" Karnal	36951 of 8. 12. 31
Hoshiarpur	" Hoshiarpur	36932 of 8. 12. 31
Gurdaspur	" Gurdaspur	1801 of 15. 1. 32
Sheikhupura	" Sheikhupura	37592 of 12.12.31

personal luggage, and which has seating accommodation for eight or more persons, including the driver.

NOTE —' Light personal luggage " means luggage not exceeding in weight ten seers for each passenger

(10) "Motor cab" means a public motor vehicle other than a motor bus or motor lorry, and includes a taxi cab.

(11) "Motor cycle" means a vehicle running on not more than three wheels and weighing not more than five cwts.

(12) "Motor lorry" means a motor vehicle for the carriage of goods, or goods and passengers.

(13) "Night" means the period which begins half an hour after sunset and ends half an hour before sunrise.

(14) "Number" with reference to the number assigned to a motor vehicle, includes letters, figures and marks.

(15) "Permit" means a certificate showing that a motor vehicle has been duly registered as required by section 10 of the Act that it complies with the specifications prescribed for the class of motor vehicle to which it belongs and that the taxes due on it under the Punjab Motor Vehicles Taxation Act, 1924, have been paid

(16) "Pneumatic tyre" means a tyre containing air inserted by mechanical pressure.

(17) "Private motor vehicle" means any motor vehicle which is not a public motor vehicle.

(18) "Public motor vehicle" means a motor vehicle which is let for hire or which stands or plies for heir in any public place.

NOTES—As to what is the meaning of "let for hire" or "plying for hire", see notes on section 11 (e).

As to what is a "public place" see section 2 of this Act

(19) "Registering Authority" means the District Magistrate or such other Magistrate as may be deputed by the Local Government in this behalf.

NOTES.

In exercise of the powers conferred by sec. 11(2)(*d*) of the Indian M. V. Act VIII of 1914 with reference to rule 3(19) of the Pb. M. Vehicles Rules, 1931, the Governor in Council is pleased to appoint and hereby appoints the officers mentioned in the 2nd column, in addition to the District Magistrate, of the Districts mentioned in the first column to be a Registering Authority, for all the purposes of the said rules within the limits of the District mentioned in the first column and by virtue of notification mentioned in the third column :—

District.	Registering Authority in addition to Magistrate.	P. G. Notification.
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Gujranwala	" Gujranwala	26501 of 25. 8. 31
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Gujrat	" Gujrat	28830 of 23 9. 31
Attock	Treasury Officer Attock	27799 of 11. 9. 31
Amritsar	Treasury Officer	966 of 9. 1. 32
Multan	Treasury Officer	28785 of 22. 9. 31 and 980 of 9. 1. 32
Gurgaon	Treasury Officer Gurgaon	36328 of 2. 12. 31
Karnal	" Karnal	36951 of 8. 12. 31
Hoshiarpur	" Hoshiarpur	36932 of 8. 12. 31
Gurdaspur	" Gurdaspur	1801 of 15. 1. 32
Sheikhupura	" Sheikhupura	37592 of 12.12.31

istrict.	Registering Authority in addition to Magistrate.		P. G. Notificat...
ohtak		Rohtak	37333 of 10.12.31
angra	"	Dharamsala	37397 of 11.12.31
ontgomery	"	Montgomery	37507 of 12.12.31
Jullundur	"	Jullundur	37650 of 14.12.31
D. G. Khan	"	D. G. Khan	37682 of 14.12.31
Ludhiana	A D M	Ludhiana	37547 of 15.12.31
Ferozepora	Executive Officer, Ferozepore		978 of 9.1.32
Jhang	Treasury Officer, Jhang		32768 of 3.11.31

(20) "Resilient" in respect of a tyre of a motor vehicle or trailer means a tyre, not being a pneumatic tyre, made of India-rubber, and not less than three-quarters of an inch thick

(21) "Road roller" means a motor vehicle mechanically propelled and used for the purpose of constructing or repairing roads.

(22) "Scheduled road" means a road which shall be closed to, or in respect of which special restrictions shall be imposed for, such classes of traffic as the Local Government may specify by notification in the Gazette.

(23) "Side-car" means a wheeled carrier attached to a motor vehicle, which motor vehicle rests on not more than two wheels.

(24) "Taxi cab" means a motor cab fitted with a taxi-meter.

(25) "Taximeter" means a mechanical device, approved by the Registering Authority, fitted to a motor cab for the purpose of automatically and visibly recording on each occasion the fare to be charged according to rates for distance or time, or a combination of distance and time.

(26) "Token" means a ticket issued to the possessor of a permit to be displayed on the motor vehicle as an indication that it has been duly registered, and that the tax has been duly paid.

(27) "Town area" includes the area of any municipality, notified area or small town as defined in the Punjab Small Towns Act, 1921.

(28) "Track" in respect of a motor vehicle or trailer means the horizontal distance between the central planes of the rear wheels of the motor vehicle or trailer.

(29) "Tractor" means a motor vehicle other than a motor cycle which does not itself carry any load or passenger but is capable of drawing or propelling an argicultural implement or another vehicle.

(30) "Trailer" means any vehicle (other than a side-car) drawn by a motor vehicle.

(31) " Weight " when used in relation to any vehicle or trailer, means—

(*i*) when the vehicle or trailer is unladen, the weight of the vehicle, including all parts, equipment, stores, fuel, water and accumulators which are necessary for, or are ordinarily used with, the vehicle or trailer when working; provided that, where alternative parts or bodies are used, the heaviest shall be taken for the purpose of calculating the weight ; and

(*ii*) when the vehicle or trailer is laden, its weight, when unladen, plus its full lawful load, includ-

ing the weight of the driver and the attendant.

(32) "Width" of the tyre of a wheel means the distance, measured horizontally and in a straight line across the circumference of the wheel, between the two points on the outer surface of the tyre which are farthest a part.

4. For the purpose of interpretation the General Clauses Act (Act X of 1897) shall apply to these rules in like manner as it applies to the Act.

PART II-A. Issue of Permits and Tokens.

Registration.

5. Every motor vehicle for which a permit has been issued shall be deemed to have been registered under the Act.

Applications for permits

6. (1) Every application for a permit shall be presented in form A-1 (I to IV) to the Superintendent of Police, who shall, if satisfied that the vehicle complies with the specifications prescribed for the class of vehicles to which it belongs, issue a certificate in form A-1 (V). The application, accompanied by the certificate aforesaid, the prescribed fee, and the amount of tax due on the vehicle, shall then be presented to the Registering Authority, who shall assign a number to the vehicle, and shall issue a permit which shall consist of forms A-2 to A-8.

Note—The forms referred to in this clause are the forms given in appendix III to these rules

(2) Such applications shall be made –

(a) in the case of any motor vehicle already registered under the Punjab Motor Vehicles Rules, 1915 or the Punjab Heavy Motor Vehicles Rules, 1915, on or before the 31st of August, 1931.

(b) in the case of any motor vehicle

not specifically provided for in the rules and it could not possibly be the intention that such officers would be entitled to the production of permits as it would give rise to unnecessary harassment to the drivers of motor vehicles.

P. C. Chaudhari V. Emperor, 120. I C. 372, a ruling of the Allahabad High Court would be applied in the Punjab to the case of an owners of a motor vehicle which has been registered in any province other than the Punjab and has been brought into the Punjab on a short visit, because in Rule 12 a Registering Authority means a Registering Authority appointed by the Local Government *i.e.* Punjab Government.

Change of ownership or address.

13. (*a*) When any change of ownership of a motor vehicle, either permanent or temporary, takes place, the permit holder shall fill up form A.-6 which is included in the form of permit, and forward the permit to the Registering Authority within fourteen days from the date on which such change took place. The Registering Authority shall note the change in his register, sign the form as prescribed therein and return the permit to the new owner. If the latter resides in a a district other than the district of registration, and the change of ownership is permanent, the Registering Authority shall return the permit through the Registering Authority concerned, and shall note against the entry relating to the vehicle in his register "Transferred to———district." The Registering Authority of the district to which the registration has been transferred shall, before returning the permit to the new owner, enter the details of the vehicle in his register, and shall note against the entry "Transferred from———district," and shall notify the new owner accordingly. Any person who acquires a motor vehicle on the hire purchase or instalment system shall, for all the purposes of these rules, be deemed to be the owner of the motor vehicle from the date on which he makes the initial payment or pays the first instalment.

(*b*) When any permanent change in the address of the owner of a motor vehicle takes place, the permit holder shall fill up form A-7, which is included in the form of permit, and forward the permit to the Register-

ing Authority within 14 days from the date on which such change took place. The Registering Authority shall note the change in his register, sign the form as prescribed therein and return the permit to the owner. If the address of the owner has been changed to a different district, the Registering Authority shall return the permit through the Registering Authority concerned, and shall note against the entry relating to the vehicle in his register "Transferred to———district," The Registering Authority of the district to which the registration has been transferred shall, before returning the permit to the owner, enter the details of the vehicle in his register, and shall note against the entry "Transferred from——district," and shall notify the owner accordingly.

NOTES (*Author's*).

Whenever change of ownership, permanent or temporary takes place, the permit holder shall, in form A-6 forward the permit to the Registering Authority within fourteen days from the date on which such change took place. The *new owner* shall have the permit duly signed by Registering Authority returned to him. A person acquiring motor vehicle on the hire purchase or instalment system shall, for the purposes of these rules be deemed to be the owner of the motor vehicle from the date on which he makes the initial payment or pays the instalment.

Change of Address.—Whenever a permanent change of address of the owner takes place, the permit holder shall fill up form A—7 within 14 days of the change and forward the permit to the Registering Authority who shall return the same duly signed by him.

PART II-B.—Issue of Driving Licences.

Note.—The forms C-1 to C-4 relating to driving licences referred to in these rules are the forms given in appendix III to these rules.

Applications for driving licences.

14. Every application for a driving licence shall be presented in form C.-1 to the Superintendent of Police who, if satisfied that the

conditions hereinunder detailed as requisite for the grant of a driving licence of the class required are fulfilled, shall endorse the application, with a certificate to that effect, to the Registering Authority.

Condition precedent to the issue of driving licences.

15. The conditions precedent to the issue of a driving licence are as follows :—

(a) that the applicant is not less than eighteen years of age;

(b) that he is competent to drive the class of vehicle for which he acquires a licence;

(c) a licence to drive a heavy motor vehicle propelled by steam shall not be granted unless the applicant produce a certificate granted under the Indian Boilers Act, 1923; and

(d) every application for a licence to drive a heavy motor vehicle or public motor vehicle shall be accompanied by a medical certificate in form C-5 signed by a medical practitioner registered under the Punjab Medical Registration Act, 1916, and by two photographs (about 3″ × 2″) of the applicant.

Period of validity of driving licences.

16. A driving licence shall remain in force for a period of twelve months unless it is suspended by a competent authority; provided that all licences duly issued under the Punjab Motor Vehicles Rules, 1915, and in force on the date these rules come into force shall unless suspended, be deemed to be in force for the period for which they have been granted.

Driving licences issued in Indian States

17. Any person holding a valid licence to drive a motor vehicle granted in accordance with the provisions of any Act or rules in force in any of the States specified in appendix VI shall be deemed to be licensed in the prescribed manner to drive a private motor vehicle in the Punjab.

conditions hereinunder detailed as requisite for the grant of a driving licence of the class required are fulfilled, shall endorse the application, with a certificate to that effect, to the Registering Authority.

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15. The conditions precedent to the issue of a driving licence are as follows :—

(a) that the applicant is not less than eighteen years of age;

(b) that he is competent to drive the class of vehicle for which he acquires a licence;

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Driving licences issued in Indian States

17. Any person holding a valid licence to drive a motor vehicle granted in accordance with the provisions of any Act or rules in force in any of the States specified in appendix VI shall be deemed to be licensed in the prescribed manner to drive a private motor vehicle in the Punjab.

Driving test

18. Any applicant for a driving licence may be required by the Registering Authority, or by the Superintendent of Police, to undergo a test, on payment of the prescribed fee, in driving a motor vehicle of the class for which a licence is required. If the applicant fails to pass such test or if the Registering Authority is satisfied on other grounds that the applicant is not a fit person to drive such motor vehicle, the licence may be refused.

NOTE.—The standard driving test is described in appendix II

The test should be dispensed with if the particulars entered in form C-1 show it to be unnecessary.

Issue of driving licences

19. *On receipt of the application duly endorsed by* the Superintendent of Police, and accompanied by the prescribed fee, the Registering Authority shall issue the driving licence in form C-3.

Renewal of driving licence

20. On the expiry of the period for which a driving licence has been granted, the licence shall be renewed for a further period of twelve months on application to the Registering Authority and payment of the prescribed fee, unless the Registering Authority, on receipt of a report from the Superintendent of Police, or otherwise, sees reason to make fresh enquiry into the applicant's fitness to hold a driving licence. Application for renewal of licence shall be made before, or within a period of, one calendar month from the date of expiry of the licence If an application for the renewal of a licence is made after the termination of the prescribed period, the Registering Authority may charge for the renewal of the licence the fee prescribed for the original issue of a driving licence.

No renewal of licence shall be refused, except for reasons to be recorded in writing.

"Explanation".—Conviction for a serious offence in connection with the driving of a motor vehicle, or physical unfitness, might be considered such reasons.

Learner

21. No unlicensed person shall drive a motor vehicle for purposes of instruction on any public road, street or thoroughfare unless he is accompanied by a person duly licensed under these rules who shall be deemed to be in charge of, and responsible for, the motor vehicle.

Duplicate driving licences

22. On sufficient cause being shown, a Registering Authority may, on payment of the fee prescribed in rule 148, grant a driving licence, clearly marked as such in red ink.

NOTES (*Author's.*)

Under this rule a duplicate driving licence can be obtained from a Registering Authority on sufficient cause being shown and on payment of "half the fee charged for the original issue of a driving licence"—— Rule 148, serial No. 13. The Registering Authority is not bound to issue a duplicate driving licence. But a clear mark of "duplicate driving licence", in red ink shall be made on it.

PART II-C—RULES APPLICABLE TO ALL CLASSES OF MOTOR VEHICLES.

Driving Conditions.

Compliance with specification and rules.

23. Every motor vehicle shall be maintained in such a condition as to comply with the specifications and rules applying to the class of vehicle to which it belongs, and the owner thereof (and the driver if he drives the vehicle knowing that any rule is being contravened) shall be liable, in cases of breach of this rule, to the penalty imposed by section 16 of the Act.

Conditions under which a motor vehicle may be used.

24. (1) No motor vehicle shall be driven in any public place unless—

(a) the owner holds a permit for such vehicle,

(b) the driver holds a driving licence,

(c) a token, in such condition as to be easily legible, is fixed on the near side of the vehicle in a conspicuous position,

(*d*) the permit, token and driving licence are valid, and are applicable to the motor vehicle for which they are being used:

Provided that no person shall be liable for the breach of this rule if he is driving a motor vehicle for the purpose of obtaining a permit

(2) For the perpose of this rule, a manufacturer or dealer may use a general number assigned to him by the Registering Authority under rule 29 instead of a permit and token.

25. The Local Government may, by notification in the Gazette, declare particular roads or classes of roads to be scheduled roads, and may prescribe the classes of motor vehicle which may be driven thereon, and the special restrictions, if any, to which they shall be subject while on such roads.

Lights.

26. No person shall drive any motor vehicle at night, nor shall any registered owner suffer or permit any motor vehicle to be driven at night unless it is provided with lights as follows:—

(*i*) In the case of a motor cycle having only one front wheel, one lamp in front showing a white light to the front and so placed as to illuminate the registered number plate on both sides and render the said number easily distinguishable;

(*ii*) In the case of a side-car, a single lamp showing a white light to the front and placed on the side of the side-car which is farthest from the motor vehicle to which the side-car is attached in such a way as to reveal the full width of the combination.

(*iii*) In the case of motor vehicles other than motor cycle having only one front wheel, two lamps, one on each side of the front of the motor vehicle, showing a white light to the front and so placed as to reveal the full width of the vehicle.

(*iv*) In all cases a lamp affixed to the rear of the motor vehicle, or if a trailer is attached, to the rear of the trailer, showing a red light to the rear, and a white light to one side so placed as to illuminate the registered number plate affixed to the rear of the motor vehicle or trailer and to render the said number easily distinguishable.

(*v*) In all cases a lamp or lamps affixed to the front of the motor vehicle sufficiently bright to illuminate the road in front of the vehicle for a reasonable distance :

Provided that no person shall drive nor shall any registered owner suffer or allow to be driven in any cantonment or town area any motor vehicle, the front light or lights of which are so bright as to cause danger or annoyance to the public.

NOTES (*Author's.*)

Under this rule not only a person who drives at night but even the registered owner who suffers or permits any motor vehicle to be driven at night without proper lights, is made expressly liable for doing so. In other words both the drvier and the registered owner are severally liable to such an extent that the prosecution of one does not release the other also being prosecuted.

The proviso to this rule is often not strictly adhered to by the motorist while driving through towns and cantonments and thus the bright lights to their vehicles are both dangerous and annoying to the public. Now both the driver and the registered owner will have to be very careful. It is *doubtful if an absent owner will also be liable if the driver* of a vehicle, without the knowledge of the registered owner commits breach of this rule. But if the owner permits or allows his vehicle to be driven well knowing that the same is not fitted with proper lights as mentioned in this rule, he is nonetheless liable, even if he is not in the vehicle at the time of so driving. But if at the time the owner permits or allows or suffers his vehicle to be driven, there are proper lights in working order fitted to it and afterwords while being driven, accidently or otherwise, they go wrong, then in

that case would the owner, who is not in the vehicle, be made liable under this rule. It is but fair and just to say that such an owner should not be made liable as at the time when he permitted, allowed or suffered the vehicle to be driven, the lights were in proper and working order. *Sohan Singh Vs Emperor*, 47 I. C. 444=27 P R. 1918 Cr.=37 P. W R. 1918 Cr ; 15 P. L. R. 1919=19 Cr. L. J. 928, has no force now because of the words "suffers, permits or allows" having been embodied in this rule, consequently *Indra Mohan Roy Vs Emperor*, 110 I. C. 325=A. I. R. 1928 Cal. 410, also is inapplicable to an absent owner under this rule. But *Devi Dayal Vs. Emperor*, 127 I.C. 211, made an absent owner liable, when the rules provided that the person who suffered the vehicle to be let or plied for hire, without a certificate, etc. shall be liable So relying on this ruling, it may be said that an absent owner would be liable under this rule, even if at the time he suffered the vehicle to be driven there were proper lights fitted to the vehicle.

Stationary motor vehicles at night.

27 A motor vehicle standing in a public place at night shall indicate its position by lamps showing a light to the front and to the rear, unless the said public place is so highly illuminated as to render this unnecessary.

Conditions to be observed by drivers.

28. (1) The driver of a motor vehicle shall—

(a) comply with the driving conditions contained in part II-C of these rules ;

(b) obey all directions given, whether by signal or otherwise, by a police officer controlling traffic ;

(c) obey all directions conveyed by signs or notice fixed at the side of, or marked on the surface of, any public road;

(d) employ on all occasions the recognized drivers' signals; and

(e) observe all traffic rules.

(2) The signals signs and traffic rules referred to in the preceding clause are given in appendix I to these rules.

Emission of vapour.

29. No driver of a motor vehicle shall cause or permit the emission of sparks, smoke or vapour from a vehicle in such a manner as to cause danger, or annoyance to the public.

Towing of cycles

30. The driver of a motor vehicle shall not cause or permit any person riding a cycle to be towed along by the vehicle.

Persons not to be carried on foot-board, and load not to protrude

31. The driver of a motor vehicle shall not permit an attendant or any other person to be carried on the foot-board or on any other portion of a motor vehicle other than within the body thereof, nor shall he permit goods to be loaded in any motor vehicle either in such a way as to protrude beyond the outside edge of the mudguard or to cause or to be likely to cause danger to the passengers or to other traffic or to persons using the road or to the public in general.

Driver not be hampered.

32. No person shall stand or sit, and nothing shall be placed, in such a manner or position as will be likely to hamper the driver in the performance of his duties as prescribed by these rules.

[illegible] the driver in the [illegible] and on the left of [illegible] eering control, wil [illegible]

Inflammable substances

33. No vessel containing petrol or any other inflammable substance shall be carried on any motor vehicle in such a manner as to cause danger of accidental ignition.

Explanation.—In the case of motor lorries loaded solely with petrol or other inflammable substances in tins or similar containers, this rule shall be held to have been complied with if the load is so disposed as to be reasonably secure from danger of accidental ignition.

34. No motor vehicle shall be allowed to stand in any public place in such a way as to cause danger or inconvenience to the public or any member of the public, and, if the vehicle is unattended, unless the mechanism has been stopped and the hand-brake applied.

Stationary motor vehicles

35. No cut-out fitting or device which will allow exhaust gas from the engine to escape into the atmosphere without first passing through a silencer, expansion chamber or other contrivance adequate to reduce the noise of the escaping gas, so far as may be reasonably practicable, shall be used in a public place—

Cut-outs.

(a) in any cantonment or town area ; or

(b) in such a manner as to cause danger or annoyance to the public.

36. (a) The maximum speed at which a motor vehicle may lower it be driven in cantonment and town areas shall be, unless otherwise fixed by bye-laws made under the Punjab Municipal Act, 1911, the Cantonments Act, 1924, or the Punjab Small Towns Act, 1921, fifteen miles per hour.

Maximum speeds

(b) The District Magistrate may prescribe the maximum speed at which motor vehicles may be driven over any bridge in his district on which a maximum speed has not already been fixed by some other competent authority.

(c) The District Magistrate may declare any bridge in his district to be closed to all motor vehicles exceeding such weight as, in his opinion, the bridge is incapable of bearing.

(d) Every order made by a District Magistrate under sub-sections (b) and (c) shall be written clearly and legibly in white letters on a red background on notice boards which shall be affixed in conspicuous positions at each end of the bridge to which

the order applies, and it shall be unlawful for any driver or person in charge of a motor vehicle to contarvene such order.

37. No motor vehicle shall be driven at a speed in excess of ten miles per hour when passing or meeting any body of troops or police on the march or any mounted or unmounted soldiers accompanying military luggage, treasure or stores, or any road gang working on the road.

Parking of motor vehicles.

38. The Registering Authority may make orders prescribing the conditions under which motor vehicles may be driven or allowed to stand in any public place where special circumstances, such as the work of road mending or liability to exceptional congestion, in his opinion, render special orders necessary. Such orders shall be published by means of notice boards at or near the public place at which they are in force:

Provided that for temporary purposes only the Registering Authority may delegate the power to make orders under this rule to such person as he may think fit:

Provided further that the Registering Authority shall not make any order under this rule so as to apply to any area within which there is any authority empowered by any law or rule for the time being in force to make rules or orders for the regulation and control of traffic within such area unless such authority has, in the opinion of the Registering Authority, failed to make such rule or order as is sufficient to prevent danger and inconvenience to the public with respect to the conditions under which motor vehicles shall be driven or allowed to stand in such area.

Any driver or person in charge of a motor vehicle who contravenes any order made under this rule shall be deemed to have contravened the provisions of the rule.

NOTES.

Under this rule for *temporary purpses only* a Registering Authority may delegate his power to make orders to such person as he may think fit.

PART II-D—RULES APPLICABLE TO ALL CLASSES OF MOTOR VEHICLES.

Trade.

General numbers

39. Upon an application by a manufacturer of, or dealer in, motor vehicles, the Registering Authority may assign to such manufacturer or dealer a general number to be used for a specified number of motor vehicles. Such number may be used upon any of the said motor vehicles in his possession when driven solely for purposes of trial or instruction. A general number shall remain valid for twelve months from the date of issue, and may be renewed on payment of the same fee as was paid for the original general number. The fee payable for such general number is laid down in part VII of these rules.

40. The Registering Authority may at any time cancel a general number issued under rule 39 if it is proved to his satisfaction that the dealer or manufacturer to whom such general number was issued has used it for any purpose not authorized by rule 39: provided that no order shall be made under this rule until the Registering Authority has given the said dealer or manufacturer an opportunity of making any representation which he may wish to make.

Register to be maintained for motor vehicles covered by general number

41. In cases where a general number issued under rule 39 is used, the dealer or manufacturer to whom the number has been assigned shall maintain a register showing the number of vehicles for which the general number is used and assigning a serial number to each such vehicle, and shall mark every such vehicle both with the general number and with its serial number of the prescribed size printed in red on a flat plate on a yellow ground. The register shall further contain the following particulars—

(a) the date on which, and the hour at which, the vehicle leaves the premises, and the serial number which it bears;

the order applies, and it shall be unlawful for any driver or person in charge of a motor vehicle to contarvene such order.

37. No motor vehicle shall be driven at a speed in excess of ten miles per hour when passing or meeting any body of troops or police on the march or any mounted or unmounted soldiers accompanying military luggage, treasure or stores, or any road gang working on the road.

Parking of motor vehicles.

38. The Registering Authority may make orders prescribing the conditions under which motor vehicles may be driven or allowed to stand in any public place where special circumstances, such as the work of road mending or liability to exceptional congestion, in his opinion, render special orders necessary. Such orders shall be published by means of notice boards at or near the public place at which they are in force:

Provided that for temporary purposes only the Registering Authority may delegate the power to make orders under this rule to such person as he may think fit:

Provided further that the Registering Authority shall not make any order under this rule so as to apply to any area within which there is any authority empowered by any law or rule for the time being in force to make rules or orders for the regulation and control of traffic within such area unless such authority has, in the opinion of the Registering Authority, failed to make such rule or order as is sufficient to prevent danger and inconvenience to the public with respect to the conditions under which motor vehicles shall be driven or allowed to stand in such area.

Any driver or person in charge of a motor vehicle who contravenes any order made under this rule shall be deemed to have contravened the provisions of the rule

NOTES.

Under this rule for *temporary purpses only* a Registering Authority may delegate his power to make orders to such person as he may think fit.

PART II-D—RULES APPLICABLE TO ALL CLASSES OF MOTOR VEHICLES.

Trade.

General numbers

39. Upon an application by a manufacturer of, or dealer in, motor vehicles, the Registering Authority may assign to such manufacturer or dealer a general number to be used for a specified number of motor vehicles. Such number may be used upon any of the said motor vehicles in his possession when driven solely for purposes of trial or instruction. A general number shall remain valid for twelve months from the date of issue, and may be renewed on payment of the same fee as was paid for the original general number. The fee payable for such general number is laid down in part VII of these rules.

40. The Registering Authority may at any time cancel a general number issued under rule 39 if it is proved to his satisfaction that the dealer or manufacturer to whom such general number was issued has used it for any purpose not authorized by rule 39: provided that no order shall be made under this rule until the Registering Authority has given the said dealer or manufacturer an opportunity of making any representation which he may wish to make.

Register to be maintained for motor vehicles covered by general number

41. In cases where a general number issued under rule 39 is used, the dealer or manufacturer to whom the number has been assigned shall maintain a register showing the number of vehicles for which the general number is used and assigning a serial number to each such vehicle, and shall mark every such vehicle both with the general number and with its serial number of the prescribed size printed in red on a flat plate on a yellow ground. The register shall further contain the following particulars:—

(a) the date on which, and the hour at which, the vehicle leaves the premises, and the serial number which it bears;

(b) the name of the person in charge of the vehicle on each occasion on which it leaves the premises; and

(c) the purpose for which the vehicle leaves the premises, and the hour at which it returns.

The dealer or manufacturer shall allow any police officer of or above the rank of Sub-Inspector to inspect the register on being required by him to do so.

PART II-E.—RULES APPLICABLE TO ALL CLASSES OF MOTOR VEHICLES.

Miscellaneous.

Passengers on motor cycles.

42. The driver of a motor cycle shall not carry any person on the motor cycle, except on a pillion seat constructed for the purpose and approved by the Registering Authority.

Trailers.

43. (i) Every trailer shall be registered as a motor vehicle and the provisions of these rules relating to the registration of motor vehicles shall so far as may be practicable apply to such registration.

(ii) Every trailer shall have a brake or brakes of such a type, and capable of being applied in such a manner, as may be approved by the registering authority.

Motor competitions and exhibitions

44. No motor competition, reliability trial, display or exhibition, in which more than five motor vehicles take part, shall be permitted on any public road or place without the previous sanction of the Inspector General of Police, whose decision shall be final.

Appeal.

45. Any person aggrieved by an order passed by a Registering Authority or District Magistrate under these rules may, within a period of thirty days from the date of such order, appeal from such order to the District Magistrate,

or, if the District Magistrate is the officer who passed such order, to the Commissioner. The appellate order of the District Magistrate, or, the Commissioner (as the case may be) shall be final and conclusive.

PART III-A.– SPECIAL RULES APPLICABLE TO LIGHT MOTOR BUSES.

46. The rules contained in this part shall apply to light motor buses, in addition to all the rules contained in part II-A., part II-C. and part II-E., with the exception of rule 42.

Loading.

47. No light motor bus shall be loaded with goods or passengers or both, nor have an axle load, when loaded, beyond the limits prescribed in form A-2 of the permit for such vehicle.

Permit to be carried on vehicle.

48. The permit for a light motor bus shall always be carried on the vehicle

NOTES.

See, *notes on* Rule 12.

Mechanical inspection

49. Every light motor bus shall be inspected before registration and subsequently once every quarter at such time and at such place as the Superintendent of Police may direct, and the result of such inspection shall be recorded on the permit: provided that, in the case of vehicles now at the time of original registration, no further inspection shall be necessary unless, the Superintendent of Police, for reasons to be recorded, otherwise directs, until the end of the second quarter after the date of such registration.

Suspension of permits pending repairs

50. (*a*) If at the time of any inspection it is found necessary to suspend the permit pending the carrying out of repairs, the inspecting authority shall take possession of the permit, and, in return, shall give the owner of the vehicle a written notice specifying

the required repairs, and directing the vehicle to be again produced for inspection on completion of the repairs.

(b) If the owner is not satisfied with the decision of the inspecting authority that the vehicle does not comply with any of the specifications prescribed in part VI, he may demand that the opinion of an expert, accepted by himself and the Registering Authority, shall be taken. Such opinion shall be accepted on the questions referred to the expert. The fee payable to such expert shall be deposited by the owner with the Registering Authority ; but, if the vehicle be passed without any alteration being required, the deposit shall be returned and the fee shall be paid by Government.

Inspection of new vehicles

51. The Superintendent of Police may dispense with the inspection of the chassis on any new light motor bus : provided that—

(a) the owner of the vehicle furnishes a certificate from the maker or accredited supplier that the mechanism of such vehicle is sound ; and

(b) such vehicle is of a type that has already been certified fit for use as a light motor bus.

Trailers

52. A trailer shall not be attached to a light motor bus, except with the written permission of the Registering Authority

Hiring

53. The person in charge of a light motor bus shall not—

(a) allow such light motor bus to stand elsewhere than at a place appointed for the purpose, or loiter for the purpose of being hired in any public place ;

(b) wrongfully prevent, or attempt to prevent, any other public motor vehicle from being hired ;

(c) refuse, without good cause, to let his vehicle, or a seat in his vehicle, for hire on demand ; or

(*d*) require without good cause any passenger who has paid his fare to alight before the completion of the journey for which the fare has beeen paid or agreed upon, or terminate the hiring before he has been discharged by the hirer

54 The person in charge of a light motor bus shall not carry, or permit to be carried, in such vehicle any person whom he knows, or has reason to believe, to be suffering from any infectious or contagious disease, or the corpse of any person whom he knows, or has reason to believe, to have died of such disease, except under the directions of a medical practitioner registered under the Punjab Medical Registration Act, 1916, in which case he shall not use such vehicle for any purpose until it has been disinfected to the satisfaction of a medical practitioner registered as aforesaid.

Precautions against infection

55. The person in charge of a light motor bus shall maintain the furniture and fittings of the vehicle in a reasonable state of cleanliness and repair.

Cleanliness and repair

56. It shall be the duty of the person in charge of a light motor bus to see that an attendant is carried in addition to the driver.

Attendants.

57. *Every driver and attendant of a light motor bus* may be required to wear a badge as may be prescribed by the Registering Authority, and such badge shall at all times be kept in good and serviceable condition.

Badges

58. The person in charge of a light motor bus shall, immediately after the completion of a journey, carefully search for any property accidentally left in it, and shall take the same personally to, or give information in writing of the loss to, the nearest police station within twenty-four hours, if the property is not previously claimed by the owner.

Lost property.

59. The owner of any light motor bus for which maxi-

Maximum fares

mum fares have been fixed by the Local Government shall cause a schedule of such fares to be exhibited in a prominent place in or on the vehicle.

Maximum speeds

60. Subject in every case to the provisions of section 5 of the Act and rule 36 of these rules, the maximum speed at which any light motor bus may be driven shall be—

(a) in the case of any light motor bus whose carrying capacity does not exceed 30 cwts., twenty-five miles per hour, and

(b) in the case of any light motor bus whose carrying capacity exceeds 30 cwts., twenty miles per-hour.

Power to withhold premits.

61. Notwithstanding anything contained in these rules, if there is anything in the construction, working or general appearance of a light motor bus which, in the opinion of the District Magistrate or the Registering Authority, renders the vehicle unfit for use as a public motor vehicle, no permit shall be issued or renewed for the vehicle

PART III-B.—SPECIAL RULES APPLICABLE TO MOTOR CARS.

62. With the exception of rules 49, 56 and 60, all the rules contained in part III-A applicable to light motor buses shall apply also to motor cabs. In addition thereto, the rules contained in this part shall apply to motor cabs.

NOTE.—This rule 62 has been substituted for the old R. 62 by P. G. N. 36579 of 4-12-31.

"62-(A). Every motor cab shall be inspected before registration and subsequently once every six months at such time and at such place as the Superintendent of police may direct, and the result of such inspection shall be recorded on the permit."

NOTE.—This rule has been newly added by P.G.N. 36579 of 4-12-31.

63. The driver of a motor cab shall, in the absence of reasonable cause to the contrary, proceed to the destination named by the hirer by the shortest and quickest route.

Shortest route to be taken

Motor cab stands

64. At motor cab stands—

(a) the drivers of the first two motor cabs on the stand shall stay beside their cabs, and shall be ready to be hired at once by any person;

(b) all motor cabs on the stand shall move up as vacancies occur ;

(c) a hirer wishing to hire any particular cab on the stand may do so ;

(d) no motor cab engaged for some future time shall remain on the stand unless the driver is willing to accept any intermediate hiring that may be offered ; and

(e) no disabled motor cab shall remain on the stand unless such disablement is strictly temporary, and can be, and is, remedied at once.

65. No hirer of a motor cab shall refuse or wilfully omit to pay the legal fare for the hire of the motor cab, as shown by the taximeter, if any, for hirings by distance, or, in other cases, by the schedule of fares prescribed under rule 56; nor shall he refuse to supply his correct name and address to the driver in the case of any dispute in connection with the fare.

Hirer to pay legal fare

NOTE.—This is quite a new provision in the interest of and for the protection and benefit of the Motor Cab owners

66. (a) The Registering Authority may require any motor cab playing for hire within the boundaries of any cantonment or town area to be fitted with a taximeter.

Taximeters

(b) No motor cab required to be fitted with a taximeter, under this rule shall be used as a motor cab unless it is so fitted. Such taximeter shall be fixed to, and operated from, a non-driving wheel, and shall bear the seal of the Registering Authority to indicate that it has been tested and is in proper working order.

(c) Every taximeter shall be fitted with an indicator or handle in the form of a flag on which shall be printed the words "For Hire." The taximeter shall be so constructed that, when the indicator is vertical, the taximeter shall be out of action. Such indicator shall be so placed as to be clearly visible to any person outside of, and in front of, the vehicle, and to the hirer when inside.

(d) The vertical position shall indicate that the vehicle is available for hire, and no driver shall, without reasonable excuse, refuse to accept a fare when the indicator is in a vertical position.

Examination and sealing of taximeters.

67 Every taximeter, after it has been affixed to a taxi cab, whether for the first time or after repair or adjustment, shall be submitted to the Registering Authority, or any other officer deputed in his behalf, for examination as to the correctness of the fittings and subjection to a practical road test over a measured distance of one mile and a time test of not less than a half-hour's duration. If found correct its fittings shall be sealed to the taxi cab in such a manner that it cannot be removed or tampered with without the breaking or removal of the seals. No person shall break or tamper with, or attempt to break or tamper with, such seal or with the taximeter or its fittings.

Subsequent examination

68. Every taximeter shall be submitted for examination and test once every quarter or at any time if required by the Registering Authority. The result of each examination and test shall be entered in the permit of the taxi cab.

Illumination of taximeters

69. Every taxi cab shall be provided with a light so placed as to illuminate the taximeter at night.

Operation of taximeter

70. The driver of every taxi cab shall, as soon as is hired, and no sooner, set the taximeter in motion, and, upon the termination of the hiring, shall immediately stop the same. But if a taxi cab is called from a garage or a stand to take up a passenger at any place less than 500 yards from the garage or stand, the taximeter shall not be set in motion until the

taxi cab shall have arrived at such place and is ready to take up the passenger

Rules applicable to public light motor lorries carrying passengers or passenger and goods

71. For public light motor lorries used for the carriage of passengers or passengers and goods, all the rules contained in part III-A applicable to light motor buses shall apply.

Rules applicable to public motor lorries carrying goods only

72. For public light motor lorries used for the carriage of goods only, all the rules applicable to light motor buses shall apply, so far as they are applicable to the carriage of goods

Rule applicable to all light motor lorries

73 For all light motor lorries, the provisions of rule 60 shall apply.

PART IV—SPECIAL RULES APPLICABLE TO HEAVY MOTOR VEHICLES

74 The rules contained in this part shall apply to heavy motor vehicles in addition to all the rules contained in part II-A, II-C and part II-E (except rule 42), and rules 48, 49. 50, 51, and 61 in part III-A.

Provided that private heavy motor vehicles shall be exempt from the provisions of rules 49 and 50.

Maker's certification

75. In addition to the provisions of rule 6, every application for a permit for a heavy motor vehicle shall be accompanied by a certificate signed by the maker or accredited supplier of such vehicle in form A-1 (IV)

Verification of weight

76. Before a permit for a heavy motor vehicle is issued the Superintendent of Police may require the particulars entered in the certificate referred to in rule 75 to be verified by actual weighment by an officer deputed for this purpose.

Trailers

77. (a) No heavy motor vehicle shall be used in any public place with more than three trailers attached to it.

(b) No heavy motor vehicle or train made up of a heavy motor vehicle with one or more trailers attached shall be used in any public place if such motor vehicle or train exceed 75 feet in length.

(c) A trailer shall not be attached to a heavy motor vehicle in which passengers are being conveyed.

Precaution for vehicles propelled by steam

78. No person in charge of a heavy motor vehicle propelled by steam shall—

(a) open the cylinder taps to the proximity of any horse;

(b) allow the steam to attain a pressure exceeding that at which the safety valve is set to act; or

(c) allow it to stand in any public place, unless its fires have been extinguished and it has ceased to contain in itself sufficient power to move, except in the charge of an attendant who is duly licensed to drive it under any rule or enactment in force.

Attendants.

79. The owner of a heavy motor vehicle shall appoint a responsible attendant who shall sit or stand at the back of the vehicle when it is in motion in order to give the driver warning of approaching traffic, and shall arrange that there shall be effective means of communication between such attendant and the driver, and no person shall drive a heavy motor vehicle unless such attendant is carried upon it and such arrangement has been made.

Maximum speeds

80. The speed at which a heavy motor vehicle is driven in any public place shall not exceed seven miles an hour:

Provided that—

(a) if the registered carrying capacity of the heavy motor vehicle exceeds three tons; or

(b) if the load transmitted to the road by any wheel exceeds three tons ; or

(c) if a trailer is attached to the heavy motor vehicle :

the speed shall not exceed five miles an hour:

Provided also that, if the motor vehicle has all its wheels fitted with pneumatic or resilient tyres, the speed at which the heavy motor vehicle may be driven on any public road shall not exceed—

(a) twelve miles an hour, where the registered axle weight of any axle does not exceed six tons ;

(b) seven miles an hour, where such registered axle weight exceeds six tons.

Areas and routes.

81 Subject to the rules contained in appendix V, the Registering Authority shall specify the areas within which and the routes on which, a heavy motor vehicle may be driven.

Verification of axle weight

82. Whenever the Registering Authority, or any person duly authorized by him in this behalf, has reasonable ground for believing that the greatest axle weight for the time being of any heavy motor vehicle or trailer drawn thereby exceeds the registered or marked axle weight, he may require the person driving or in charge of the vehicle to drive the vehicle, or cause it to be driven, with or without the trailer, to a weighing machine, and cause the greatest weight for the time being to be ascertained.

PART V.—SPECIAL RULES APPLICABLE TO HILL ROADS.

Rules for hill roads.

83. On hill roads, as defined in rule 3 (G), all motor vehicles shall be subject to the following special additional rules.

Non resilient tyres prohibited.

84. No person shall drive a motor vehicle on a hill road unless all its wheels are fitted with pneumatic or resilient tyres.

Power to prescribe times for motor traffic.

85. The District Magistrate may, from time to time, by general or special order, prescribe the hours or times during which it shall be permissible for motor vehicles to travel on any hill road within his jurisdiction or on any portion thereof. No motor vehicle shall travel on such road at any other time than that so prescribed, except written permission previously obtained on each occasion from the District Magistrate or such other authority as may be authorized specially or generally in this behalf by the Local Government: provided that a motor vehicle which is delayed by accident or other unavoidable cause, and is therefore unable to complete its journey within the prescribed time, may complete its journey on condition that the driver exercises special caution when meeting traffic, and reports to the first police post reached or police officer met.

Motor vehicle carrying mail

86. Notwithstanding the provisions of rule 85 above, motor vehicles carrying mail may be given general permission, subject to such restrictions as the District Magistrate may prescribe in the interests of public safety, to run at times other than these prescribed.

Special rules of the road.

87. The following special rules of the road shall be observed by all motor vehicles on hill roads—

(a) no motor vehicle shall overtake another, except at a place where the whole road is clearly visible for at least two hundred yards ahead; and

(b) when two motor vehicles approach each other in opposite directions at a point where they cannot meet without danger of collision, the vehicle proceeding down-hill shall give way to the vehicle proceeding up-hill. When such meeting takes place in a dip or on a level stretch of road, the

vehicle on the inside of the road, *i. e.*, the side from which the hillside slopes upwards, shall give way.

Note :—"Hill Roads" are mentioned in the note to R 3 (6), above.

Accidents.

88. A person in charge of a motor vehicle who knows, or has reason to believe, that an accident has occurred to any person, animal or vehicle, owing to the presence of such motor vehicle on a hill road, shall report the matter without delay to the nearest police post or patrolling police officer and shall, in making such report, give his name and address and the registration number of his vehicle.

Note —See notes on Section 4 of the Act, in Book I.

Special endorsements necessary for public motor vehicles

89 No public motor vehicle shall ply for hire on a hill road unless the permit of such vehicle and the licence to drive for hire of its driver shall have been specially endorsed by the Registering Authority concerned as valid for such road.

NOTES (*Author's.*)

As to the meaning of "plying for hire," see notes under section 11 (*e*) of the Act.

As to the meaning of "*Hill Road,*" see notes on R. 3 (6) of these Rules

As to the meaning of "Registering Authority," see R. 3 (19) of these Rules,

Examination of public motor vehicles and testing of drives for hill roads.

90. Before granting such endorsement, the Registering Authority shall cause the motor vehicle to be examined as to its fitness for use on a hill road and its driver to be tested as to his capacity to drive and control the vehicle under the conditions of hill road driving. No permit shall be endorsed under this rule for a vehicle which is not provided with brakes of such strength and in such condition as to be capable of stopping the vehi-

cle promptly, and holding it on the maximum gradient of the road in question when fully loaded, whether proceeding up or down-hill.

Maximum seating capacity and load

91. The grant of a special endorsement under rule 89 may be subject in respect of the vehicle to such modification as the Registration Authority may prescribe in respect of the maximum seating capacity and maximum load allowed for the same class or make of vehicle on roads in the plains.

Cancellation or suspension of endorsements on driving licences

92. The District Magistrate may cancel or suspend the endorsement on the special driving licence of any person for reasons to be recorded by him in writing.

Power to make rules for hill roads

93. The District Magistrate, after consulting the Executive Engineer in whose division the hill road lies, may make rules for any hill road within his district prescribing *inter alia*—

(*a*) times at or between which motor vehicles may leave or reach a terminal or intermediate control station;

(*b*) restrictions [illegible] ffic in both directions [illegible] of specified classe [illegible] times or places;

(*c*) conditions on which ambulances and cars proceeding to or from the scene of an accident may be granted specified exemptions or facilities;

(*d*) the points on a hill road to be considered as termini, and the conditions under which permission to drive a motor vehicle beyond limits or on the roads within the limits of a hill station may be given; and

(*e*) restrictions on the use of trailers.

Copies of such rules shall be sent to the press and for posting in hotels, dak bungalows and rest-house, and at police stations situated on the road to which they apply, material extracts therefrom shall be prominently and legibly set forth in white letters on a red background on notice boards at all terminal and intermediate control stations on such roads.

PART VI-A.—SPECIFICATIONS FOR ALL CLASSES OF MOTOR VEHICLES.

Brakes

94 (a) All motor vehicles shall be fitted with two independent brakes in good working order and of such efficiency that the application of either will completely stop and hold the motor vehicle under all conditions.

(b) Such brakes shall be so fitted as to be capable of easy application and at least one shall be applied by a pedal.

Construction and maintenance

95. All motor vehicles shall be—

(a) so constructed as to admit of their being at all times under full control so as to prevent undue interference with other traffic; and

(b) maintained in such a condition as to pervent danger to the public or to any person riding in the vehicle.

Lamps and horn.

96. Every motor vehicle shall be provided with—

(a) lamps as prescribed in rule 26; and

(b) a deep-toned horn capable of giving audible and sufficient warning of the approach of the vehicle:

Provided that, in the case of a motor cycle, the horn shall have a highpitched note.

97. The number assigned by the Registering Authority

Number plates

to a motor vehicle shall be shown in white figures and letters of uniform size on a black ground in the case of private motor vehicles, and with black letters on a white ground in the case of public motor vehicles, and shall be printed on a flat plate rigidly affixed to the front of the vehicle. The number shall be similarly printed on a flat surface rigidly affixed to the back of the vehicle.

In every case the number shall be so printed, affixed and maintained as to be easily discernible at a reasonable distance, and shall not be of less than the following dimensions :—

Figures 3½ inches high composed of strokes ¾ inch thick. Letters 2½ inches high composed of strokes ½ inch thick. A space of ½ inch shall be left between each figure or letter and the next, and a margin of ½ inch at the top, bottom and sides of the plate : provided that, in the case of a motor cycle, the figures, letters, spaces and margins shall not be less than half of the above dimensions, and the front number shall be shown on each side of a plate projecting forward.

Separate number plates shall be affixed to the back of every side-car and trailer bearing the number assigned to the motor vehicle to which the side-car or trailer is attached.

Left-hand steering control

98. No motor vehicle shall have left-hand steering control provided that a permit may be issued and may remain in force for a motor vehicle having left-hand steering control if the vehicle had already been registered before 1st July, 1931.

Mirrors

99. Every motor vehicle shall have a mirror so fixed as to indicate to the driver traffic approaching from the rear.

100. The outlet silencer shall not be so placed as to

Outlet silencers

project the exhaust directly on to the road nor be so placed or directed as to alarm horses.

PART VI. B.—ADDITIONAL SPECIFICATIONS FOR LIGHT MOTOR BUSES.

101 The rules contained in this part shall apply to light motor buses in addition to those laid down in part VI-A.

Steering arms and connections

102. The steering arms and other connections shall be of simple strength, and shall be adequately protected from damage by collision

Carburettors and petrol receptacles

103 Carburettors or other petrol receptacles, unless they are suitably encased or screened, shall not be placed in close proximity to magnets or to wire connections carrying electric current.

Celluloid and xylonite

104. Except in electric batteries, no celluloid or xylonite or other highly inflammable material shall be used inside or outside any light motor bus.

Guard trays

105. When a guard tray or undershield is fixed beneath the engine and adjacent machinery, it shall be so constructed that no overflow of petrol will be retained on the tray.

Bolts

106. All bolts securing brake and steering connections shall be so locked or pinned as to prevent them from working loose.

Bolts, studs and nuts

107. All bolts, studs and nuts securing parts of any light motor bus subject to severe vibration shall be locked or pinned, in such a manner as to prevent them from working loose.

Particulars to be painted on light motor buses.

108. In addition to the provisions of rule 97, the following particulars shall be legibly painted on every light motor bus and maintained in such a condition as to remain visible :—

(a) the load which the vehicle is permitted to carry

and the unladen weight of the vehicle ;

(b) the maximum speed at which the vehicle is permitted to travel;

(c) the full name of the owner
(to be painted on each side clear of the wheels); and

(d) the number of passengers which the vehicle is permitted to carry
(to be painted inside and outside the vehicle); and

(e) the registered number of the vehicle.
(to be painted both inside the vehicle, and, with 4 inch letters on two plates fixed at the level of the roof, at the back and front of the vehicle).

Fire extinguishing appliances

109. Suitable and approved appliances capable of extinguishing a petrol fire shall be carried in such a position as to be readily available for use.

NOTES—R. 109 has been cancelled since 1-7-31, by P. G. N. 513 of 6-1-32.

Petrol tanks

110. Tanks for petrol or other liquid fuel shall be made of suitable material properly constructed and of sufficient strength They shall be so placed that no overflow shall drop on any woodwork or accumulate where it can be readily ignited. The filling nozzle or inlet for the petrol or liquid fuel shall be brought where possible, to the outside of the body.

Electric wires

111. All wires carrying electric current shall be properly insulated and protected from injury, and so placed that they cannot be a cause of danger.

Excessive heat

112. Effective means shall be adopted for preventing the heat of the motor generator or exhaust pipe connections from injuriously affecting any part of the vehicle or causing discomfort to the passengers.

113. The exhaust pipe should be taken from the engine

Exhaust pipes

in such a manner that oil or vaporizable or inflammable material expelled or leaking from any part of the engine or carburettor is not likely to fall on it.

Non-skid and spare tyres

114. At least one driving wheel of the vehicle shall be fitted with a non-skid tyre, and at least one spare inflated tyre on a rim or wheel which can be quickly fitted to the vehicle shall be carried.

Gas.

115. Where acetylene or other gas is used to light the vehicle, the cylinders or vessels which contain the gas or in which it is generated shall be fixed outside in such a manner as to minimize the danger of accidental ignition

Pneumatic tyres.

116. All light motor buses shall be fitted with pneumatic tyres provided that a permit may be issued and remain in force for any light motor bus fitted with tyres other than pneumatic tyres if the light motor bus had already been registered before the 1st of July 1931.

Maximum number of passengers

117. The number of passengers (including driver and attendant) that may be carried on any light motor bus shall be determined by the formula--

$$\frac{8}{10}W = N$$

Where W = registered carrying capacity in cwts.

N = the number of passengers ;

Provided that N shall not exceed 21 in the case of 30-cwt. buses and 25 in the case of 2-ton buses :

Provided further that children under twelve years of age shall be counted as half-passengers for the purpose of this rule. Infants in arms shall not be taken into account as passengers.

Overhang.

118. The overhang of any light motor bus shall not exceed ·4 of the wheel base.

Driver's seat

119. *The driver's seat shall not be less than 18 inches* wide, and shall be separated from the passenger's seats by a partition not less than 18 inches high The distance between the back of this seat and the dash shall not be less than 2 feet 6 inches.

Maximum overall height

120 The overall height of any light motor bus measured from the floor boards shall not be less than 4 feet 6 inches, and shall not exceed 5 feet

Provided that the maximum overall height of six-wheeled light motor buses shall not exceed 5 feet 6 inches.

Overall width.

121. The overall width of any light motor bus shall not exceed that of its track by motor than 10 inches

Passengers' seats

122 The width and depth of seats for passengers shall not be less than 14 inches.

Leg room

123. If seats face the same way, a space of not less than 11 inches shall be provided as leg room, and, if the seats face one another, leg room of not less than 19 inches shall be provided.

Body of vehicle

124. The body of a light motor bus shall be mounted on *five cross wooden members* 2 *inches* square encased in 2 inches × 2 inches angles and securely bolted by ⅜th inch bolts to the main longitudinal channels of the chassis, and it shall consist of—

(a) bottom frame-work ;

(b) upright frame-work or sides of the body ; and

(c) roof.

The bottom frame-work shall be securely bolted by 3/8th inch bolts to the bottom five cross wooden members, and

shall consist of two long members 12 inches wide and 1½ inches thick, joined together by two cross members 6 inches wide and 1½ inches thick— one at the rear extremity, and the other immediately under the driver's seat. The inside of this frame-work shall be rebated to take the floor planking, which shall not be less than 1 inch thick

The upright frame-work shall be securely bolted by ⅜ inch bolts to the bottom frame-work, and shall consist of 2 inches × 2 inches uprights secured by three horizontals 2 inches × 2 inches—one at the top, one at the bottom and one 18 inches above seat-level. The inside of this frame-work up to 18 inches above seat-level shall be rebated to receive the ½ inch side panelling (wood or 32-gauge sheet iron) Uprights shall be fixed not more than 2 feet 6 inches apart centre to centre at every corner of the body and on either side of every doorway or opening, and shall be properly ironed and stayed to give the strength necessary to resist the effect of vibration.

The roof shall consist of members not less than 1½ inches square, and not more than 2 feet 6 inches apart centre to center, properly secured to the topmost horizontal member of the side frame-work. The whole shall be suitably covered.

Horns and lamps

125. In addition to the provisions of rule 96, a light motor bus shall be equipped with—

(a) a bulb horn (if the standard fitting is an electric horn); and

(b) a speedometer.

Cleanliness and repair.

126. The body, furniture and appointments of every light motor bus shall be in proper order and repair, the paint and varnish in good condition and the inside clean.

Light motor buses in cantonment and town areas.

127. In the case of light motor bouses plying for hire either wholly or partly in any cantonment or town area, the Registering Authority may require all seats for passengers to be provided with cushions of an approved pattern.

PART VI-C.—ADDITIONAL SPECIFICATIONS FOR MOTOR CABS.

128. The rules contained in this part shall apply to motor cabs, in addition to those laid down in part VI-A and in rules 102, 103, 105, 106, 107, 109 to 116 and 125 of part VI-B.

NOTES.—In Rule 128, for "109 to 116" read "110 to 116"—P. G. N. 34949 of 20-11-31.

Communication between passengers and driver

129. Every motor cab in which there is a partition between passengers and driver shall be provided with a means of communication between them.

Carriage of luggage.

130. Every motor cab shall be provided with adequate means for the conveyance of a reasonable amount of luggage, and with a sufficient number of chains, straps or other means of securing such luggage No luggage shall be carried on the roof of the cab unless there has been affixed thereto a guard rail of a type approved by the Registering Authority.

Seat cushions.

131. The cushions of the seats of motor cabs shall be covered and stuffed with suitable materials to be approved by the Registering Authority.

Cleanliness and repair.

132. The doors, windows, seats, roof springs, wheels, cushion lining, panels and all furniture and appointments of a motor cab shall be in proper order and repair. The paint and varnish shall be kept in good condition and the inside of the vehicle shall be perfectly clean. The floor shall be covered with a mat of rubber, coir or other suitable material.

Letter "T".

133. The letter "T" shall be conspicuously painted on both sides of every motor cab.

NOTE.—R. 133 has been cancelled by P. G. N. 36579 of 4-12-31.

Turning capacity

134. All motor cabs shall be capable of being turned on either lock within a roadway not more than 30 feet wide.

NOTE.—Rule 134 has been cancelled by P. G. N. 36579 of 4-12-31.

PART VI-D.—Additional Specifications for Public Light Motor Lorries.

Public light motor lorries used for the carriage of passengers or passengers and goods.

135 For public light motor lorries used for the carriage of passengers or passengers and goods, all the specifications laid down in part VI-B, shall apply.

Public light motor lorries used for the cariage of goods only

136. For public light motor lorries used for the carriage of goods only, all the specifications laid down in part VI-B, with the exception of rules 108 (*d*) and (*e*), 115 and 117 to 125 shall apply, and in addition the following :—

(*a*) The maximum overall width shall not exceed that wheel track by more than 12 inches ;

(*b*) The word "Public" shall be conspicuously painted on the body; and

(*c*) The permissible load shall not exceed that laid down in the manufacturer's specifications.

PART VI-E.—Additional Specification for Heavy Motor Vehicles and Trailers.

Application of specifications

137. The rules contained in this part shall apply to heavy motor vehicles and trailers in addition to those contained in part VI-A and in rules 102 to 107 and 110 to 115.

Particulars to be printed on vehicles

138. In addition to the provisions of rule 97, the following particulars shall be printed or otherwise plainly marked on every heavy motor vehicle or trailer in letters and figures not less than one inch in height, in such a manner as to be legible at reasonable distance.

(*a*) On the right or off side of the vehicle and trailer—

(1) the registered carrying capacity of the vehicle;

(2) the permissible axle weight of each axle when laden on a hill road and on a road in the plains; and

(3) the maximum load which the vehicle is permitted to carry on a hill road and on a road in the plains; and

(b) On the left or near side of the vehicle—

(1) the maximum speed at which the vehicle may be driven, with and without a trailer, on a road in the plains; and

(2) the owner's name and address.

Maximum axle weight

139. The axle weight on any axle of a heavy motor vehicle shall not exceed 8 tons, and of any trailer 3 tons.

Maximum sum of axle weights

140. The sum of the axle weights of all axles of a heavy motor vehicle shall not exceed 12 tons, and of a trailer 5 tons; provided that, if the vehicle is the property of any local authority, the sum of the axle weights shall not exceed 16 tons.

Resilient tyres

141. Every heavy motor vehicle of more than 5 tons weight when laden shall be fitted with pneumatic or resilient tyres on the driving wheels. This rule does not apply to tractors.

Steel tyres.

142. The tyres of each wheel of a heavy motor vehicle or trailer, unless pneumatic or resilient, shall be smooth, and, where the tyre touches the road, they shall be flat, and each edge shall be bevelled to the extent of not more than ½ inch, except when—

(a) the tyres are constructed of several plates, in which case the sides of each plate shall be parallel to those adjoining it, and the gap

between each plate shall not exceed ⅛th inch; and

(b) the driving wheels are shod with diagonal cross-bars, in which case these bars shall not be less than 3 inches wide or more than ¾ inch thick, and shall extend across the whole width of the tyre, and shall be spaced not more than 3 inches apart.

EXPLANATION—If resilient tyres wear down to within ½ inch of the rim, they shall be classed as non-resilient tyres

Width of tyres

143. (1) The width of the tyre of each wheel of a heavy motor vehicle or trailer, unless the tyre is pneumatic or resilient, shall be determined by one of the following two formulas;

(a) $\frac{2W}{7\cdot5-X} = T$, in cases where the diameter of the wheel is 3 feet or more; and

(b) $\frac{2W}{7\cdot5-\frac{X}{2}} = T$, in cases where the diameter of the wheel is less than 3 feet,

where W = the total weight in cwts. on each wheel

X = the amount measured in feet by which the diamter of the wheel is more or less than 3 feet, and

T = the width of the tyre in inches:

Provided that—

(a) the width of a tyre for any heavy motor vehicle shall be not less than 6 inches; and

(b) the width of a tyre for a trailer shall be not less than 3 inches.

(2) The size of all resilient tyres shall be such that the loads imposed upon them shall not exceed the limits prescribed by the manufacturers of such tyres.

Diameter of wheel

144. The diameter of a wheel of a heavy motor vehicle or trailer, if fitted with a tyre which is neither pneumatic nor resilient, shall not be less than 2 feet.

Maximum overall width

145. The maximum overall width of any heavy motor or trailer shall not be more than 7 feet 6 inches.

Springs.

146. Every heavy motor vehicle or trailer shall be constructed with suitable and sufficient springs between each axle and the frame.

PART VI-F—SPECIAL RULE FOR ROAD ROLLERS

147. Notwithstanding anything contained in the rules applicable to heavy motor vehicles, road rollers shall be exempt from the provisions of all except the following rules 27 to 30, 35, 78, 82, 85, and 88.

PART VII—FEES

148. The fees payable under these rules shall be in accordance with the following schedule :—

Serial No.	Rule	Subject in respect of which fee is payable.	Fee.	REMARKS
			Rs. A. P.	
		FEES FOR PERMITS		
1	6	Fee for the issue of a permit for.—		
		(i) Heavy private motor vehicle ...	32 0 0	
		(ii) Light private motor vehicle ...	16 0 0	
		(iii) Private motor cycle ...	4 0 0	
2	6	Original fee for the issue of a permit for a heavy public motor vehicle or public motor vehicle not fitted with pneumatic tyres ...	95 0 0	
3	8	Fee for the renewal of a permit for a heavy public motor vehicle or public motor vehicle not fitted with pneumatic tyres ...	62 8 0	
4	6	Original fee for the issue of a permit for public motor vehicles *other than those* mentioned in serial No. (2) above ...	40 0 0	
5	8	Fee for the renewel of a permit for public motor vehicles other than those mentioned in serial No. (3) above ...	25 0 0	
6	9	Fee for the issue of a duplicate copy of a permit ...	2 0 0	
7	9	Fee for the issue of a duplicate copy of a token ...	0 4 0	

Serial No.	Rule	Subject in respect of which fee is payable.	Fee.	REMARKS
			Rs. A. P.	
		FEES FOR DRIVING LICENCES		
8	18	Fee for driving test ...	5 0 0	
9	19	Original fee for the issue of a licence to drive a private motor vehicle ...	3 0 0	
10	20	Fee for the renewal of a licence to drive a private motor vehicle ...	2 0 0	
11	19	Original fee for the issue of a licence to drive a public motor vehicle ...	8 0 0	
12	20	Fee fer the renewal of a lience to drive a public motor vehicle ...	6 0 0	
13	22	Fee for the issue of a duplicate copy of a driving licence	Half the fee charged for the original issue of a driving licence.	
		FEE FOR GENERAL TRADE NUMBERS		
14	39	Original fee for the issue of a general trade number ...	100 0 0	
15	39	Fee for the renewal of a general trade number ...	100 0 0	

Note—Fees may be paid in non-judicial stamps or in cash at the option of the person making the payment.

APPENDIX I —Traffic Rules, Signs and Signals.

(See rule 28).

A.—TRAFFIC RULES.

I. All motor vehicles shall observe the rule of the road, *viz*, to pass traffic which is proceeding in the opposite direction on the left and traffic which is proceeding in the same direction on the right

II. *Overtaking*—A slower moving vehicle may be overtaken provided that—

(*a*) the act of overtaking will not hold up, inconvenience or endanger other traffic proceeding in either direction ;

(*b*) *overtaking shall not occur in the vicinity* of a blind corner, a police constable on point duty, or a turning to the right, or when the road is not clearly visible ahead.

(*c*) the vehicle sought to be overtaken is not itself attempting to overtake another vehicle

III. *Turning*—(1) (*a*) The driver of a motor vehicle shall slow down, and make the appropriate signals before making any turning.

(*b*) The speed at which any vehicle may be driven round any corner shall be such that there is no danger of skidding or overturning, and the turning vehicle can be kept on the left hand side of the road without difficulty.

(2) In making a turning from a side road to a main road to—

(*a*) the right, the driver of a motor vehicle shall slow down and if necessary stop until the main road is sufficiently clear to enable him to make the turning in safety;

(*b*) the left, the driver of a motor vehicle shall keep

to the extreme left and not hold up, inconvenience or endanger other traffic when making such turning.

(3) In making a turning from a main road to a side road to—

(a) the right, the driver of a motor vehicle shall draw to the middle of the road, slow down and if necessary, stop until the road on the right is sufficiently clear to enable him to make the turning in safety;

(b) the left, the driver of a motor vehicle shall keep to the extreme left and not hold up, inconvenience or endanger other traffic when making such turning.

(4) When two roads meet and it is doubtful which of the two is the main road special caution should be observed by all drivers.

(5) When turning round blind corners the driver of motor vehicle shall slow down, sound his horn in an audible manner, keep to the left and be on the look out for pedestrians, any obstacle on the road, or traffic proceeding in either direction.

IV. *Cross Roads*—When passing cross roads, the driver of a motor vehicle shall slow down, sound his horn in an audible manner keep to the left and be on the look out for predestrians or traffic crossing his path.

V. A clear road shall be no justification for lack of vigilance. The driver of a motor vehicle shall at all times be on the look out for pedestrians or traffic coming on to the road unexpectedly.

VI. The driver of a motor vehicle shall always allow sufficient room for other vehicles going in either direction to pass him with safety and without difficulty.

VII. The driver of a motor vehicle shall not slow down or stop in any public place before making the appropriate signal.

VIII. When a motor vehicle is halted, it shall be drawn up either off the road or as near as possible to the extreme left of the road. No motor vehicle shall remain halted at a place or in a manner where it is liable to cause danger or inconvenience to other traffic, *e.g.*, on the blind side of a corner.

B.—POLICE SIGNALS FOR CONTROLLING TRAFFIC. ✓

Notes for drivers of vehicles.

Drivers should note that once they have been stopped by a constable they should not move on until he signals to them to do so.

Signals Nos. 1 to 5 are specially illustrated to show how, in a simple instance, they appear to the drivers for whom they are intended It makes no difference if, as will often happen, the constable's other arm is engaged in making another signal.

Drivers should be specially careful to distinguish the "Proceed" signals intended for them from those intented for other traffic. This will be shown primarily by the constable looking in their direction; in particular, they should note that no "Proceed" signal applies to a driver towards whom the constable's back is turned.

The following are the standard signals used by police officers controlling traffic.—

No. 1. **To stop** a vehicle approaching from in front or from either side, the constable faces squarely towards it and extends his right arm and hand at full length above the right shoulder, with the palm of the hand towards the vehicle.

No. 2. **To stop** a vehicle approaching from behind, the constable extends his left arm horizontally from the shoulder, and holds it rigid with the back of the hand towards the vehicle.

No. 3. **To bring on** a vehicle from in front, the constable looks towards the driver and beckons him on with the right hand and forearm, which is raised well above the shoulder.

No. 4. **To bring on** vehicles from his right or left, the constable looks towards the driver for whom the signal is intended, and beckons him on with the right (or left hand and forearm, which is raised well above the shoulder

No. 5. When one constable is controlling four converging roads he will stop traffic approaching from in front and from simultaneously combining signals Nos. 1 and 2 (above).

C. — Signals to be used by Drivers.

All drivers of vehicles, and cyclists, are strongly recommended to familiarise themselves with, and to use, the following signals ;

No. 1. "I am going to **Slow Down**, or **Stop**, or **Turn** to my **Left.**"

Extend the right arm *with the palm of the hand turned downwards*, and move the arm slowly up and down, keeping the wrist lose.

No. 2 "I am going to **Turn** to my **Right.**"

(This signal may be used in any circumstances when it may be necessary to convey the warning **"It is dangerous to overtake me on my Right."**)

Extend the right arm and hand, *with the palm turned to the front*, and hold them *rigid* in a horizontal position straight out from the off side of the vehicle.

No. 3. "You may **Overtake** me on my **Right.**"

(In the interests of public safety, this signal should only be given when the road ahead is clear, and never when approaching cross-roads or a bend in the road. The fact that it has been given must not be regarded by the following driver as absolving him from the responsibility of satisfying himself that he can overtake with safety).

Extend the right arm and hand *below* the level of the shoulder, and move them backwards and forwards.

APPENDIX II

Driving Test.

A.—TEST FOR APPLICATIONS FOR LICENCE TO DRIVE PRIVATE MOTOR VEHICLES AND MOTOR CABS.

To pass the driving test an applicant shall show—

(1) that he is familiar with the rules of the road as set forth in Appendix I of these rules;

(2) that he is able to control a motor vehicle at speeds from five to thirty miles per hour, including—

(*a*) the efficient manipulation of gear changing mechanism;

(*b*) the management of brakes;

(*c*) turning to right and left from one road into another,

(*d*) overtaking slower traffic;

(*e*) simple backing and parking;

(*f*) the correct interpretation of signals, road signs, road markings or any of such tests.

B—TEST FOR APPLICANTS FOR LICENCE TO DRIVE PUBLIC MOTOR VEHICLES (OTHER THAN MOTOR CABS) AND HEAVY MOTOR VEHICLES

To pass the driving test an applicant shall show, in addition to the requirements of Part A above, that he is able—

(1) *to drive a heavy motor vehicle, laden and unladen,* for a distance of two miles;

(2) to back a fully loaded carrying capacity

lorry from a main road on to a side road about 10 feet wide. Where such a narrow road is not readily available, artificial conditions may be produced by laying two lines of bricks 10 feet apart along the centre of such side road;

(3) to manœuvre backwards a fully loaded one-ton carrying capacity lorry between three bricks spaced 30 feet apart in the manner indicated by the sketch below;

(4) to drive a fully loaded one-ton carrying capacity lorry up a gradient, over a steep culvert, from low ground at the side of the road to the centre, over broken ground and through sand.

APPENDIX III—FORMS.

FORM A-1.

(See Rule 6)

FORM OF APPLICATION FOR A PERMIT.

I.—For all motor vehicles.

1. full name of owner ....
2. Address of owner ....
3. Class of vehicle..............................
4. Maker's name..............................
5. Year of manufacture..............................
6. Horse-power and number of cylinders ....
7. Chassis number..............................
8. Size, kind and width of tyres..............................

8-A. Number of wheels on ground..............................

9. Type of body and colour..............................
10. Purpose for which intended..............................
11. Weight unladen..............................
12. Carrying capacity..............................

12-A. Whether already enrolled under subsidy scheme ..

12-B. Whether under purchase on instalment system, and if so, from whom and when last instalment, is due........ ......

II.— Additional particulars for public motor vehicles, motor lorries, and heavy motor vehicles.

13. Area in and roads on which vehicle will ordinarily ply ..

EXPLANATORY NOTES.

Item No. 3.—Whether motor cycle (with or without side-car), light motor vehicle, motor bus, motor cab, taxi cab, motor lorry, heavy motor vehicle, also whether driven by oil petrol or steam.

Item No. 8.—Whether pneumatic, pneumatic, resilient or metal.

Item No 9 —*E. g.*, whether open touring, closed body motor lorry, motor bus.

Item No. 10 —Whether for private use, public use or for trade purposes, and whether for transportation of goods or passengers or both.

Item No. 12 (*a*).—In the case of light motor vehicles which are not motor buses or motor lorries whether 2, 3, 4, 5, 6, or 7 seater.

(*b*) In the case of motor buses—maximum number of passengers.

(*c*) In the case of motor lorries—maximum number of passengers or weight of goods, or combined weight of passengers and goods, if both are carried; in case of lorries without sides—length and width of platform.

(*d*) In the case of heavy motor vehicles—maximum weight in cwt.

(*e*) In the case of motor ambulances—loaded stretcher capacity.

Item No. 13.—Also state whether to be used on hill roads.

III.—Additional particulars for heavy motor vehicles.

14. Axle weight on each axle—

when unladen..

when loaded..

15. Diameter of each wheel..

Certified that to the best of my belief the particulars entered in this application correct

Dated———. *Signature of applicant*

IV.—Additional certificate for heavy motor vehicles only.

Certified that the specifications entered in parts I and III of this form are correct.

Dated———. *Signature of manufacturer or accredited supplier.*

V.—Certificate by Superintendent of Police.

Certificate that the motor vehicle described above complies with the specifications for...............laid down in part VI..........of the Punjab Motor Vehicles Rules 19......

Dated——— *Signature of Superintendent of Police.*

FORM A-2.

(See Rule 6.)

I.—Description of vehicles.

1. Full name of owner..
2. Address of owner..

3. Class of vehicle..
4. Maker's name..
5. Year of manufacture..
6. Horse power and number of cylinders..
7. Chassis number..
8. Size, kind and width of tyres..
9. Type of body and colour..
10. Purpose for which intended..
11. Weight unladen..
12. Carrying caapcity..

II.—Additional particulars for public motor vehicles, motor lorries and heavy motor vehicles.

13 Roads on which vehicles may be driven..........
14. Maximum speed at which vehicle may be driven,
15. Maximum load which vehicle may carry, if any fixed:

(*a*) maximum number of passengers, if only passengers carried..

(*b*) maximum combined weight of goods and passengers, if both are carried ....

(*c*) maximum weight of goods, if only goods carried..

III.—Additional particulars for heavy motor vehicles.

16. Axle weight on each exle—

when unladen..
when loaded..

17. Diameter of each wheel..

IV.—Additional particulars for public motor vehicles only.

18. Maximum fares permissible..
....
....

Dated———. *Signature of Registering Authority,*

V.—Special endorsement under rule 87 permitting a public motor vehicle to ply on a hill road.

19. Road on which vehicle is permitted to ply..................

20. Maximum speed at which vehicle may be driven on such road.............
....

Maximum load which vehicle may carry on such road—

(a) maximum number of passengers, if only passengers carried...................

(b) maximum combined weight of goods and passengers, if both are carried.................................
....

(c) maximum weight of goods, if only goods carried...

Dated———. *Signature of Registering Authority.*

FORM A-3.

(See Rule 6.)

Certified that the motor vehicle described in Form A-2 in the ownership of ....has been registered by me as No. P................on the day of..................19.............

In pursuance of endorsement No. 1071-C., dated the 25th February 1915, from the Home Department of the Government of India, this licence has validity throughout British India.

The owner of motor vehicle No. P................is authorised to be in possession of dangerous petroleum not exceeding 20 gallons for use on the motor vehicle, or its transport thereon for the purpose of use therein.

Dated———. *Signature of Registering Authority.*

NOTE.—[illegible] Vehicles Act, VIII of [illegible] rovisions of the rule [illegible] extend to a fine [illegible] ly convicted of an [illegible] r, may extend to a [illegible]

FORM A-4.

(See Rule 49)

Subsequent inspection for public motor vehicles after original registration.

Quarter.	Date of inspection	Whether the vehicle still complies with specifications in schedule A-2 of permit No ——— of 19———	Signature of Inspecting Authority.	Date of next inspection

Signature of Superintendent of police.

FORM A-5.

(See Rule 10)

Financial year 19 ....19 ....

Certified that .. ..owner of the motor vehicle (Registered No... .. ..) described in Form A-2 of permit No. 19..............has paid.............. .. ..on account of taxes and fees due......... ....

Dated————19 . *Taxation Officer.*

First quarter.

Second quarter.

Third quarter.

Fourth quarter.

FORM A-6.

(See Rule 13.)

Certified that I ....have transfer the ownership of the motor vehicle (Registered No........ described in form A-2 of permit No. 19....... , ... with effect from...... ....

Dated.——— *Signature of transfer*

Dated.——— *Signature of transfer*

Dated.——— *Signature of Register Authority.*

FORM A-7.

(See Rule 13.)

Certified that I.... ....the owner the motor vehicle (Registered No....... ....), described form A-2 of permit No. 19 ....have changed my p manent address to...... .... with effect from. . . ..

Dated——— *Signature of Permit-hold*

Dated——— *Signature of Registering Authority.*

FORM A-8.

(See Rule 8 (2) (*b*)).

Form of renewals of permit for public motor vehicles.

Date of renewal.	Date of expiry.	Signature of Registering Authority.
	19	
	19..	
	19..	

FORM B.

FORMS OF TOKEN.

TOKEN

No. Book No.

Certified that

Owner of vehicle No. ________________________

Holding Permit No. ____________________ 19____

Has paid taxes up to __________________________

Registering authority.

District

NOTE. (*Author's*)

Every Token will have the words "1st quarter", "2nd quarter" "3rd quarter" or 4th quarter", in red letters written over it according to the number of quarter to which it relates

FORM C-1.

(See Rule 14).

Application for a driving licence

(If a licence is required for a public motor vehicle or heavy motor vehicle, the application should be accompanied by two photographs (about 3"—2") of the applicant and a medical certificate in Form C-2 signed by a medical practitioner registered under the Punjab Medical Registration Act 1916.)

I. 1. Full name of applicant..............................

2. Address of applicant ....

3. Age of applicant ....

4. Particulars of any licence applicant holds or previously held...

5. Particulars of endorsement on any licence which applicant holds or previously held.....................

6. Calss of vehicle for which licence is required.

(a) Motor cycles.

(b) Light private moto vehicles, other than lorries

(g) Public heavy motor vehicles.

In pursuance of endorsement No. 1071-C., dated 25th February 1915, from the Home Department of the Government of India, this licence has validity throughout British India.

Signature———

Dated———.

Registering Authority.

Space for photograph of licence-holder in case of driving licence for a public motor vehicle.

Special endorsement under rule 87 permitting the driver, if licensed, to drive a public motor vehicle, to drive on a hill road.

Road on which driver is permitted to drive.............

Signature———

Dated——— *Registering Authority.*

FORM C-4.

(See Rule 20.)

Form of renewals of driving licence.

Date of renewal	Date of Expiry.	Signature of Registering Authority.
	19	
	19	
	19	

APPENDIX IV.

Punjab Motor Vehicles Taxation Act 1924 and Punjab Motor Vehicles Taxation Rules, 1925.]

The 18th March 1925.

No. 7083.—In exercise of the power conferred by section 15 of the Punjab Motor Vehicles Taxation Act, 1924, read with section 20 of the Punjab General Clauses Act, 1898, the Governor in Council is pleased to make the following rules, previous publication of which has been made in Punjab Government notification No. 3209, dated the 4th of February 1925.—

RULES.

Punjab Motor Vehicles Taxation Rules, 1925.

1. (*a*) These rules may be called the Punjab Motor Vehicles Taxation Rules, 1925.

(*b*) They shall come into force on the first day of April 1925.

2. In these rules—

(*a*) "the Act" means the Punjab Motor Vehicles Taxation Act, 1924;

Note For the Act, see Chapter II of this Book, infra

(*b*) "section" means a section of the Act; and

(*c*) "article" means an article in the schedule to the Act.

3. The "Licensing Officer" referred to in section 2 (*a*) shall be in each district the Treasury Officer or such Assistant Commissioner or Extra Assistant Commissioner

as may be appointed by the Deputy Commissioner from ime to time to be the licensing officer.

4. Under sub-section (1) of section 4 every person who keeps a motor vehicle for use shall fill up and sign a declaration in form I. The form may be sent by registered post, or may be presented in person or by an agent to the licensing officer.

5. Any person, who having delivered a declaration becomes liable to a further tax by reason of his keeping a greater number of motor vehicles for use than he has stated in the declaration, or by reason ot any change in the character of any motor vehicle kept by him for use, shall fill up, sign and deliver an additional declaration under section 5 in form I.

6. The licensing officer, on receiving information that any person keeps a motor vehicle for use, may require him to sign, fill up and deliver the form of declaration and may serve upon him at once a special notice in form II. This notice may be sent to the person by post or may be served upon him in person, or (if service cannot be made upon him in person) upon any adult male member or servant of his family. If the notice cannot be served in the manner aforesaid it may be served by affixing it to some conspicuous part of his place of residence or business, or in such manner as the licensing officer may think fit.

7. Forms of declaration can be obtained from the lincensing officer.

8. *Under sub-section (1) of section 13 of the Act the Local Government is pleased to declare that persons who keep for use motor vehicles of the following classes are exempt from liability to pay the tax in respect of such motor vehicles to the extent specified below :—

(i) Motor vehicles owned and kept for use by departments of the Central or Provincial Government —Total exemption.

* Punjab Government notification No 16617, dated 14th June 193[illegible]

(ii) Motor vehicles owned and kept for use by any local authority situated within the Punjab—Total exemption.

(iii) Motor vehicles owned by the manager of a school and kept for the sole use of conveying pupils to and from a school—Total exemption.

(iv) Motor vehicles classed as ambulances owned by the authorities of a hospital and kept for the sole use of conveying patients to and from the hospital—Total exemption.

(v) Motor vehicles temporarily brought into the Punjab and kept for use therein—

(a) for a period not exceeding 21 days—Total exemption ;

(b) for a period exceeding 21 days, but not exceeding 30 days—Fifty per cent exemption ;

(c) for a period exceeding 30 days, but not exceeding 60 days—Twenty-five per cent. exemption.

(vi) Motor vehicles exempted under the Auxiliary Force Act, 1920, the Indian Territorial Force Act, 1920, or any other law for the time being in force—Total exemption.

A person (other than a department of the Central or Provincial Government) who is wholly exempt from liability to pay the tax under this rule must nevertheless fill in and deliver the form of declaration and obtain a licence unless he is exempt under sub-clause (a) of clause (v) of this rule.

9. Under sub-section (2) of section 13 any person who becomes liable to pay a quarterly instalment of tax, but proves to the satisfaction of the licensing officer that he has not used or permitted the use of the motor vehicl throughout the period which has elapsed since the fixed for payment of the preceeding quarterly insta

is entitled to exemption from liability to pay that quarterly instalment.

10. Any person making a claim to exemption under sub-section (2) of section 13 or under rule 8 or rule 9 shall support his claim to exemption by such proof or in such manner as the licensing officer may in each case direct.

11. Under sub-section (3) of section 13 whoever becomes liable to pay a quarterly instalment of tax, but proves that he has paid a municipal tax in respect of the same motor vehicle, and for the whole or part of the quarter for which the instalment of tax is due may claim deduction to the extent of half the amount of the municipal tax for the same period. Such claim must be supported by a receipt or a licence or other document signed by a competent officer of the municipal committee, showing that such municipal tax has been paid for such period.

*11-A. A person who has paid a quarterly instalment of tax in respect of a motor vehicle, but afterwards proves to the satisfaction of the licensing officer under section 13 of the Act, that he is not liable to the payment of that instalment of tax or part thereof on account of any of the exemptions or deductions provided for in the Act or rules is entitled to claim refund of the tax already paid to the extent admissible under the Act or the rules made thereunder Claims for refund for tax paid to a local body must be supported by a receipt or a licence or other documents signed by a competent officer of that local body showing that such tax has been paid for such period.

*(Punjab Government notification No. 21959, dated 17th July 1933).

12. Whenever an exemption or deduction or refund is claimed by a licensee and his claim is admitted, the licensing officer shall make the necessary entry certifying the exemption or deduction or refund in the remarks column of the licence.

13. When a person purchases or keeps for use a motor vehicle in respect of which a licence as already been issued

he shall produce the licence referred to in rule 18 before the licensing officer The licensing officer shall then cancel the licence and deliver to the applicant a fresh licence in his own name, in which he shall enter as paid those instalments of the tax which were entered as paid on the former licence. The fee for transferring a licence under this rule shall be four annas.

Note.—The words "and coupon" have been deleted from R 13—P. G N. 2026 of 6. 6 31

[illegible] of a [illegible] his licence, on [illegible] a duplicate [illegible] annas 4."

Note —This rule has been substituted for the old rule by P. G. N. 2026 of 6. 6 31.

15. The assessment of motor vehicles described in articles 1, 2 and 3 depends on the weight unladen of the vehicle. The assessee must state this weight in his declaration form. The licensing officer may accept the statement, or may in his discretion demand from the applicant proof that the declaration of weight unladen is correct. In the absence of such proof, the licensing officer shall decide the weight of the unladen motor vehicle and shall assess the tax accordingly.

16. The assessment of vehicles described in articles 4 and 5 depends on the number of persons that can be seated in a motor vehicle. No difficulty is likely to arise except in the case of vehicles seating four or five persons. The licensing officer shall use his discretion in deciding to which of these classes a motor vehicle belongs. In coming to a decision the following provisions may be followed as a guide :—

(i) A car should be considered a vehicle seating four persons, if it is definitely advertised as a four-seater.

(ii) A car should be considered a vehicle [illegible] five persons, if it is definitely advertised as [illegible]

seater or five-seater.

The applicant for a licence may be called upon to produce proof that a car is advertised as possessing one of these types of seating accommodation In the absence of such proof the licensing officer shall use his discretion and shall assess accordingly.

17. For the purpose of assessment the licensing officer may require an applicant for a licence to produce his car before him for his inspection.

18. As soon as an applicant for a licence has filed the declaration, the licensing officer shall inform him (by letter) of the assessment on his motor vehicle; and the applicant shall, as prescribed in the Act, pay the first quarterly instalment of the tax into the treasury. The licensing officer, on the production of the chalan, shall deliver the licence, which shall be in form III, to the applicant.

Note —R 18 has been substituted for the old rule by P. G. N. 20626 of 6. 6. 31

Note.—R 18-A, has been deleted by P G N. 20626 of 6. 6. 31

19. Any Police officer on duty may order a motor vehicle to stop and examine it to ascertain whether a licence therefor has been obtained. Should he discover that it has not been licensed, he shall take the name and the register number of the vehicle and the name of the owner, and report the same without delay to the licensing officer for such action as he considers necessary. No such action shall be taken by a Police officer until the 1st day of May 1925.

20. Before imposing a penalty under sections 8 and 9 the licensing officer shall call upon the person concerned to show cause why the penalty should not be imposed. He shall record a brief memorandum of the facts of the case and the statement (if any) of the person concerned, and a finding with a brief statement of his reasons for that finding.

21. Under section 12 any person aggrieved by an order relating to the assessment, imposition or recovery of the tax or penalty may, within a period of thirty days from the date

of such order, appeal from such order. The appeal shall be made in writing to the officer to whom an appeal lies under section 12, stating the grounds on which the appellant disputes the order. The officer hearing the appeal may in his discretion :—

(a) dismies the appeal summarily; or
(b) call on the licensing officer for a report; and after considering such report and such arguments as may be put forward on behalf of the appellant may confirm, modify or set aside the order.

FORM I.

FORM OF DECLARATION.

[*Section 4* (1) *of the Punjab Motor Vehicle Taxation Act*, 1924.]

1. Name of person ________
2. Address .. ... ________
3. Class and description of motor vehicles (see schedule to Act below) and registration numbers .. ________
4. Date of commencing to keep the motor vehicles for use .. ________
5. Number of vehicles (with weight unladen or number of seats)... ... ________

I hereby declare that the above is a true statement of the motor vehicles in my possession and use.

*Date*________ *Signature*________

NOTE —Under sections 8 and 9 of the Act failure to deliver a declaration duly filled in, on or before the proper date, or delivery of a declaration wherein the particulars required by the Act are not fully and truly stated involves a penalty which may extend to twice the amount of the tax to which the person is liable.

MOTOR VEHICLES TAXATION.

SCHEDULE.

Description of motor vehicles.	**Annual rate of tax.*
1. Cycles (including motor-scooters and cycles with attachment for propelling the same by mechanical power) not exceeding 8 cwt in weight unladen—	Rs.
(*a*) Bicycles not exceeding 200 lbs. in weight unladen	15
(*b*) Bicycles exceeding 200 lbs in weight unladen	30
(*c*) Bicyles if used for drawing a trailer or side-car, in addition	10
(*d*) Tricycles	40
2 Vehicles not exceeding 5 cwts. in weight unladen, adapted and used for invalids.	5
3. Vehicles used solely in the course of trade and industry for the transport of goods (including tricycles weighing more than 8 cwt. unladen —	
(*a*) Electrically propelled, but not exceeding 25 cwts. in weight, unladen. ...	35
(*b*) Vehicles other than such electrically propelled vehicles as aforesaid not exceeding 12 cwts. in weight unladen	25
(*c*) Vehicles exceeding 12 cwts., but not exceeding one ton in weight unladen	37½

*NOTE.—The rates given in the above schedule have been revised under the Punjab Motor Vehicles Taxation (Amendment) Act, 1935.

Description of motor vehicles	*Annual rate of tax
	Rs.
(d) Vehicles exceeding one ton, but not exceeding 2 tons in weight unladen.	75
(e) Vehicles exceeding 2 tons, but not exceeding 3 tons in weight unladen	200
(f) Vehicles exceeding 3 tons, but not exceeding 4 tons in weight unladen.	300
(g) Vehicles exceeding 4 tons in weight unladen.	400
(h) Vehicles if used for drawing a trailer, in addition for each trailer; provided that two or more motor vehicles shall not be chargeable under this clause with respect to the same trailer.	50
4. †Vehicles plying for hire and ordinarily used for the transport of passengers within the limits of a Muncipality or a Cantonment—	
(a) Tram cars	15
(b) Other vehicles seating no more than four persons	50

*NOTE.--The rates in the above schedule have been revised under Punjab Motor Vehicles Taxation (Amendment) Act, 1925

†NOTE---In this paragraph the number of persons mentioned does not include the driver of the vehicle

Description of motor vehicles.	*Annual rate of tax*
	Rs.
(*c*) Other vehicles seating more than four persons, but not more than six persons.	75
(*d*) Other vehicles seating more than six persons, for every additional person that can thus be seated up to 32, in addition	6
(*e*) Other vehicles seating more than 32 persons	700
4-A. Vehicles plying for hire and ordinarily used for the transport of passengers outside the limits of a Municipality or a Cantonment or from a point within the limits of a Municipality or Cantonment to a point situated outside such limits or within the limits of another Municipality or Cantonment :—	
(*a*) Tram cars	15
(*b*) Other vehicles seating not more than four persons	30
(*c*) Other vehicles seating more than four persons, but not more than six persons.	40
(*d*) Other vehicles seating more than six persons but not more than twenty persons.	50

Description of motor vehicles.	*Annual rate of tax.*
	Rs.
(e) Other vehicles seating more than twenty persons, for every additional person that can thus be seated up to 32, in addition.	6
(f) Other vehicles seating more than 32 persons	700
5. Motor vehicles other than those liable to tax under the foregoing provisions of this schedule :—	
(a) Seating not more than one person ...	40
(b) Seating not more than three persons ..	60
(c) Seating not more than four persons ..	80
(d) Seating more than four persons, for every additional person that can be seated. ...	20

FORM II.

[*Notice under section 6 of the Punjab Motor Vehicles Taxation Act*, 1924]

To ______________________________

Address ______________________________

Take notice that you are hereby required to fill up, sign and deliver to the undersigned the form of declaration enclosed in respect of every motor vehicle kept by you for use, and to pay the tax due on every such vehicle before the expiration of 14 days from the date of service of this notice.

Failure to deliver the declaration or to pay the tax involves a penalty under section 8 and 9 of the Punjab Motor Vehicles Taxation Act, 1924.

Signature of licensing officer.

*Date*______________________

The _______ ___________ 193 .

FORM III.

PUNJAB MOTOR-VEHICLES TAXATION ACT, 1924.

COUNTERFOIL OF LICENSE.

Book No. ______________ No. ______________

NAME OF LICENSEE

____

FATHER'S NAME

____

Caste ______________

Address ______________

____

Description and registered number of motor vehicle according of schedule of Act.

____

____

Date of license ______________

Tax paid { 1st quarter
2nd „
3rd „
4th „

Signature of licensing officer.

FORM III.

LICENSE.

[*Under section 7 of the Punjab Motor Vehicles Taxation Act, 1924.*]

Book No ______________ Place ______________

No ______________ *Date* ______________ 192

WHEREAS ______________ has paid to Government Rs. ______________ being the tax for the year/quarter ending ______________, he is permitted to keep for use the motor vehicle specified below within the limits of the Punjab from ______________ to ______________

Details

Name of licensee.	Father's name.	Caste.	Address	Description and Regd No of vehicle.	Tax payable
					1st quarter. 2nd „ 3rd „ 4th „

Signature of licensing officer.

NOTE :—The coupon in this form has been deleted by. P. G. N. 20626 of 6-6-31.

APPENDIX V—ROADS

1. For the purpose of restricting motor traffic on road in the Punjab, roads are divided into three classes, *viz*, A, B and C.

Class A roads will include all roads metalled with stone metal, of adequate hardness, such as the major portion of the Grand Trunk Road, and may be used by all classes of motor traffic subject to the provisions of the Punjab Motor Vehicles Rules, 1931

Class B roads will include all roads metalled with kankar, brick, or soft stone and may be used by motor vehicles not exceeding 30 cwt. in carrying capacity provided that six-wheeled motor vehicles fitted with low pressure pneumatic tyres and not exceeding two tons in carrying capacity will be permitted to use the roads.

Class C roads will include all unmetalled roads and may be used by motor vehicles not exceeding 30 cwt. in carrying capacity provided that six-wheeled motor vehicles fitted with low pressure pneumatic tyres and not exceeding two tons in carrying capacity will be permitted to use the roads.

APPENDIX VI—Indian States which have been granted reciprocity in maters of licencing and registration

Serial No.	Name of Indian State	Where situated.	Distinguishing letters.	AUTHORITY FOR RECIPROCITY — For registration — "Punjab Government notification — Number	Date	For Licencing — "Punjab Government notification — Number	Date.
1	Mysore ...	Madras Presidency	Mys	1765	23-1-18	6072	25-3-18
2	Bareda ...	Bombay Presidency	Ba. Ka. A N or O.	14670	30-5-19	20596	25-9-19
3	Patiala ..	Punjab	P. S G. (for State-owned cars only) P S	14679	30-5-19	20596	25-9-19
4	Bharatpur ...	Rajputana	B. P	14670	30-5-19	20596	25-9-19
5	Talcher ...	Bihar and Orissa	B. O. T. C.	14673	30-5-19	20598	25-9-19
6	Kalahandi .	Do	B O. Kh	14673	30-5-19	20598	25-9-19
7	Jammu and Kashmir	Kashmir	J. and K.	3986	2-2-21	15011	13-5-21
8	Gawalior ...	Central India	G. S.	20592	15-8-23	28558	8-10-23
9	Nabha ...	Punjab	Nabha State	12822	20-4-24	2760	31-1-25
10	Banares ...	U P.	Benares State	14149	5-6-25	13953	5-6-26
11	Jind .	Punjab	Jind State	461-S	31-8-23	21967	11-9-29
12	Rampur ...	U. P.	R. R	14146	5-6-25	13960	4-5-26
13	Dhenkanal State ...	Bihar and Orissa	B. O. D. K. L.	13939	4-5-26	20329	10-7-26
14	Nayagarh ...	Do	B. O. N. G. R	9031	22-3-27	15614	23-5-27
15	Travancore	Madras presidency	T. V. R.	10034	19-3-27	16070	31-5-27
16	Baster ...	C P.	B. T R.	10729	6-4-27	16096	31-5-27
17	Kankar ..	Do	K. N. K. ...	10729	6-4-27	16089	31-5-27
18	Hindol ...	Bihar and Orissa	B. O H L.	2170	18-1-28	8791	13-3-28
19	Raigarh ...	C. P.	R. G. R.	2170	18-1-28	8791	12-3-28
20	Chhuikhadan	Do	C. K. N.	30077	13-11 27	2473	20-1-29
21	Kawardha ...	Do	K. W.	30077	23-11-27	2473	20-1-29
22	Bonai ...	Bihar and Orissa	B. O. B N.	18510	26-7-27	22060	6-9-27
23	Nandgaon ...	C. P	N. D. G	18510	6 7-27	22060	6-9-27
24	Khairgarh	Do.	K. G. H.	18610	6-7-27	22060	6-7-27
25	Indore ...	Central India	H S.	28636	9-10-28	750	7-1-29
26	Daspalla ...	Bihar and Orissa	B. O. Despalla	31900	7-11-28	750	7-1-29
27	Rewa ...	Central India	Rewa ...	33291	17-11-28	2073	23-1-29
28	Keonihar ...	Bihar and Orissa	B. C. K. J.	14502	17-4-29	22002	5-7-29

APPENDIX VI.—INDIAN STATES WHICH HAVE BEEN GRANTED RECIPROCITY IN MATTERS OF LICENSING AND REGISTRATION—CONCLUDED.

Serial No	Name of Indian State.	Where situated.	Distinguishing letters	AUTHORITY FOR RECIPROCITY			
				For registration		For licensing	
				Punjab Government notification		Punjab Government notification	
				Number.	Date	Number.	Date.
29	Mayurbhanj	Bihar and Orissa.	B. C. My. ...	14503	17-4-29	22003	5-7-29
30	Patna ...	Do.	B. C. Ptn ...	14503	17-4-29	22003	5-7-29
31	Band ...	Do	B O.B.D. ...	14503	17-4-29	22003	5-7-29
32	Nilgiri ...	Do	B O N L. ...	14503	17-4-29	22003	5-7-29
33	Athgarh ...	Do	B O.A J G.	14503	17-4-29	22003	5-7-29
34	Khandpara ...	Do.	B.O K.H P.	14503	17-4-29	22003	5-7-29
35	Baramba ...	Do	B.O.B.R.B.	14503	17-4-29	22001	5-7-29
36	Narsinghpur	Do	B.O.N.S P	14502	17-4-29	22003	5-7-29
37	Cochin ...	Madras	C.S	14502	17-4-29	22003	5-7-29
38	Pudeekethie	Do	P.S. ...	14503	17-4-29	22002	5-7-29
39	Kalsia ...	Punjab	State Coat-of Arms with the word "Kalsia State" below it.	14503	17-4-29	22003	5-7-29
40	Pataudi ...	Do ...	State monogram crossward moon and star with the 'Pataudi State below it.	14503	17-4-29	22003	5-7-29
41	Dujana ...	Do. ...	Crescent and str with the words "Dana (St te' low.	14503	17-4-29	22002	5-7-29
42	Bhopal ...	Central India ...	B S ...	23237	16-7-29	30061	25-4-29
43	Korea ...	C P ...	K.O.R. ...	37700	3-9-29	32195	22-10-29
44	Tigiria ...	Bihar and Orissa.	B.O.T.G. ...	13933	21-4-29	17957	26-5-30
45	Pal Lahara ...	Do ...	B.O P.A.L.	13933	21-4-30	17957	26-5-30
46	Kharsawan ...	Do ...	B.O K S.W	13933	21-4-30	17957	26-5-30
47	Athmallik ...	Do ...	B O.A.L.K.	13933	21-4-30	17957	26-5-30
48	Seraikela ...	Do ...	B.O S.K.	13933	21-4-30	17957	26-5-30
49	Bairakhol ...	Do ...	B.O R K	13933	21-4-30	17957	26-5-30
50	Ranpur ...	Do ...	B O. Rnp	13933	21-4-30	17957	26-5-30
51	Sonpur ...	Do. ...	B O S.N.P.	13933	21-4-30	17957	26-5-30
52	Sarangarh ...	C. P. ...	S.G.H ...	26564	12-9-30	29470	22-10-30
53	Mandi ...	Punjab	"Madi" for State Cars 'M for private lorries and cars.	33341	4-11-30	37335	17-12-30
54	Khairpur ...	Sinh ...	Khairpur State	3969	3-2-31	8112	11-3-31
55	Tehri Garhwal	United provinces	T.G.S. ...	27729	11-9-31	27729	11-9-31
56	Udaipur ...	Central provinces	U.D R. ...	27729	11-7-31	27329	11-9-31
57	Bamra ...	Bihar and Orissa.	B.O B.rt	29841	21-9-31	29841	21-9-31
58	Gangpur ...	Do ...	B O G P.	29851	21-9-31	29851	21-9-31
59	Hyderabad ...	Deccan	Number with crescent painted in red.	29879	21-9-31	29879	21-9-31
60	Hydrabad ...	Deccan	Number with crescent painted in red.	29879	21-9-31	29879	21-9-31
61	Suket ...	Suket or Suketstate and S. for private Vehicles.	for State	34430	19-12-31	34430	19-12-31
62	Kapurthala		K.	34413	19-12-31	34413	19-12-31

CHAPTER II.

THE
Punjab Motor-Vehicles Taxation Act, 1924.

Punjab Act, No IV. of 1924.

[Passed by the Local Legislature of the Punjab].

Received the assent of His Excellency the Governor on the 25th November 1924 and that of His Excellency the Viceroy and Governor General on the 25th January 1925, and was first published in the Gazette of the 30th January 1925.).

An Act to impose a Tax on motor-vehicles in the Punjab.

Preamble.

WHEREAS it is expedient to impose a tax on motor-vehicles in the Punjab and whereas the previous sanction of the Governor-General under Sub-Section (3) of section 80-A of the Government of India Act has been obtained, it is hereby enacted as follows :—

Short title and extent and Commencement.

1. (1) This Act may be called the Punjab Motor-Vehicles Taxation Act, 1924.

(2) It extends to the Punjab.

(3) It shall come into force on the 1st day of April, 1925.

Definition

2. In this Act, unless there is anything repugnant in the subject or context :

(a) "licensing officer" means an officer appointed

by the Local Government to perform the duties and exercise the powers imposed or conferred upon a licensing officer under this Act ;

(b) "Motor Vehicle" includes a vehicle, a carriage or other means of conveyance propelled, or which may be propelled, on a road by electrical or mechanical power either entirely or partially ;

(c) "prescribed" means prescribed by rules made under this Act ;

(d) "tax" means the tax imposed under this Act.

Imposition of tax

3. (1) A tax shall be leviable on every motor vehicle in equal instalments for quarterly periods commencing on the first day of April, the first day of July, the first day of October, the first day of January, at the rate specified in the schedule to this Act :

Provided that any broken period in such quarterly periods shall, for the purpose of levying the tax, be considered as full period.

(2) The tax shall be paid upon a license to be taken out and paid for under the provisions of this Act by the person who keeps the motor vehicle for use.

Obligation of persons keeping motor-vehicles to make declaration and to pay tax.

4. (1) Every person who keeps a motor vehicle for use shall fill up and sign a declaration in the prescribed form, stating the prescribed particulars, and shall deliver the declaration as filled up and signed by him to the licensing officer before the 30th day of April 1925, or if such person commences to keep the motor-vehicle for use after the 10th day of April 1925, then before the expiration of 21 days from the day of his commencing to keep the motor vehicle for use.

(2) The tax to which he appears by such declaration to be liable shall be paid by the person keeping the motor vehicle, if for the first quarterly period before the 30th day of April, if for the second quarterly period before the

31st day of July, if for the third quarterly period before the 31st day of October and if for the fourth quarterly period before the 31st day of January :

Provided that if such person commences to keep the motor-vehicle for use after the 10th day of April, 1925, he shall pay the first instalment due before the expiration of 21 days from the day of his commencement to keep the motor-vehicle for use.

(3) Every person who owns any motor-vehicle which is let for hire shall for the purposes of this Act, be deemed to be the person who keeps the motor vehicle for use.

Obligation to make additional declaration and to pay further tax.

5. Whenever any person, who has delivered a declaration under the preceding section, becomes liable to an additional tax by reason of his keeping a greater number of motor-vehicles for use than he has stated in the declaration, or by reason of any change in the character of any motor-vehicle kept by him for use, he shall fill up and sign an additional declaration specifying with reference to such liability the particulars required by the preceding section.

Such person shall deliver the additional declaration so filled up and signed and pay such additional tax as by the last mentioned declaration appear to be payable by him to the licensing officer before the expiration of 21 days from the day of his becoming so liable as aforesaid :

Provided that when payment is made of additional tax by reason of any change in the character of any motor vehicle, an allowance shall be made for the tax already paid.

Service of special notice to make declaration and to pay tax.

6. The licensing officer may direct a special notice to be served upon any person requiring such person to fill up, sign and deliver to the officer named in such notice, a form of declaration, to be left with such notice, stating whether such person is or is not liable to the payment of any tax and to pay the tax to which he appears by such declaration to be liable to the person named therein before the

by the Local Government to perform the duties and exercise the powers imposed or conferred upon a licensing officer under this Act ;

(b) " Motor Vehicle" includes a vehicle, a carriage or other means of conveyance propelled, or which may be propelled, on a road by electrical or mechanical power either entirely or partially ;

(c) "prescribed" means prescribed by rules made under this Act ;

(d) " tax " means the tax imposed under this Act.

Imposition of tax

3. (1) A tax shall be leviable on every motor vehicle in equal instalments for quarterly periods commencing on the first day of April, the first day of July, the first day of October, the first day of January, at the rate specified in the schedule to this Act :

Provided that any broken period in such quarterly periods shall, for the purpose of levying the tax, be considered as full period.

(2) The tax shall be paid upon a license to be taken out and paid for under the provisions of this Act by the person who keeps the motor vehicle for use.

Obligation of persons keeping motor-vehicles to make declaration and to pay tax.

4. (1) Every person who keeps a motor vehicle for use shall fill up and sign a declaration in the prescribed form, stating the prescribed particulars, and shall deliver the declaration as filled up and signed by him to the licensing officer before the 30th day of April 1925, or if such person commences to keep the motor-vehicle for use after the 10th day of April 1925, then before the expiration of 21 days from the day of his commencing to keep the motor vehicle for use.

(2) The tax to which he appears by such declaration to be liable shall be paid by the person keeping the motor vehicle, if for the first quarterly period before the 30th day of April, if for the second quarterly period before the

Recovery of tax or additional tax imposed under section 8 or section 9

10. Any tax or additional tax imposed under the provisions of section 8 or section 9 may be recovered in the manner provided in section 11 for the recovery of an arrear of tax.

Recovery of an arrear of tax.

11. When a person neglects or refuses to pay an instalment of tax within one month from the expiration of the period fixed for such payment, the licensing officer may forward to the Collector a certificate under his signature specifying the amount of the arrears due from the person, and the Collector on receipt of such certificate shall proceed to recover from such person the amount specified therein as if it were an arrrear of land revenue.

Appeals.

12. Any person aggrieved by an order relating to the assessment, imposition or recovery of the tax or penalty may, within a period of thirty days from the date of such order, appeal from such order to the Collector, or if the Collector is the officer who passed such order then to the Commissioner. The appellate order of the Collector or Commissioner (as the case may be) shall be final and conclusive.

Exemptions and deductions.

13. (1) The Local Government may by rule or order exempt a person or class of persons from liability to pay the whole or part of the tax in respect of any motor vehicle or class of motor vehicles and may in like manner exclude any motor-vehicle or class of motor-vehicles from the operation of this Act.

(2) Whoever becomes liable to pay a quarterly instalment of tax, but proves to the satisfaction of the licensing officer that he has not used or permitted the use of the motor vehicle throughout the quarterly period preceding shall be entitled to receive an order in writing from the licensing officer exempting him from liability to pay such first mentioned quarterly instalment, and the licensing officer, shall make an endorsement to that effect upon the license.

(3) Whoever becomes liable to pay a quarterly instalment of tax in respect of motor vehicle, but proves to the satisfaction of the licensing officer that he has paid a tax *"imposed by a municipality or a Cantonment authority"* in respect of the same motor-vehicle, and for the whole or part of the quarter for which the instalment of tax is due, then half the amount of the 'Municipal' tax paid for the said period shall be deducted from the quarterly instalment of tax, and the licensing officer shall make an endorsement to that effect upon the license.

Note —The words between the inverted commas were inserted by Punjab Act, X of 1925, Sec. 2

(4) A person who keeps more than ten motor vehicles for use solely in the course of trade and industry shall be entitled to a deduction of ten per cent on the aggregate amount of tax to which he is liable.

Explanation—The expression "trade and industry" includes transport for hire.

(5) Nothing in this Act shall apply to a motor vehicle used solely for the purpose of agriculture.

Bar to Jurisdiction of Civil and Criminal Courts in matters of taxation

14. The liability of a person to pay the tax or penalty shall not be determined or questioned in any other manner or by any other authority than is provided in this Act or in rules made thereunder, and no prosecution, suit or other proceeding shall lie against any Government Officer for anything in good faith done or intended to be done under this Act.

15. (1) The Local Government may after previous publication make rules for the purpose of carrying into effect the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, the Local Government may make rules for all or any of the following purposes, namely:—

(a) to prescribe the form of any declaration, license, certificate or special notice and the particulars

to be stated therein,

(*b*) to prescribe the officers by whom any duties are to be performed and the area in which they shall exercise their authority. Vide, P. G. N. 27420 of 24-9-30 amending rule 3 of the Rules, in P. G. N. 7083 of 18-3-25,

(*c*) to provide for the total or partial exemption for a limited period from liability to taxation in respect of any motor-vehicle brought into the Punjab by persons making only a temporary stay in the Punjab,

(*d*) to regulate the method of assessing and recovering the tax,

(*e*) to regulate the manner in which special notices may be served,

(*f*) to regulate the extent to which licences may be transferred,

(*g*) to regulate the manner in which exemptions or refunds may be claimed and granted,

(*h*) to regulate the manner in which appeals may be instituted and heard.

Note.—As to what rules, the Punjab Government has made under this section vide P. G. N. General, 7083, dated 18-3-25, mentioned in Appendix IV, attached to the P. M. V. Rules 1931, in Chapter I of Book I

CHAPTER III.

NATIVE STATES RULES, 1916.

No. 627.

Government of India.

HOME DEPARTMENT.

Judicial.

NOTIFICATION.

Simla, the 6th July 1916.

WHEREAS it is expedient to prescribe conditions subject to which motor vehicles from *Native States* may be brought temporarily into British India, and there used and driven :

Now, therefore, in exercise of the power conferred by section 14 of the Indian Motor Vehicles Act, 1914 (VIII of 1914), the Governor-General in Council is pleased to make the following rules :—

1. These rules may be called the *Motor Vehicles (Native States,) Rules*, 1916.

2. In these rules "Magistrate" means the District Magistrate or in a Presidency Town, or Rangoon, the Commissioner of Police.

3 No motor vehicle owned by a person ordinarily resident in a Native State, which is not duly registered under the said Act, shall be used or driven by any person in British India unless such motor vehicle bears such mark of identification as may be prescribed by the Political Officer for the territory in which the owner thereof ordinarily resides.

4. (*i*) Where any such motor vehicle is kept in British India for a period exceeding 10 days

at any one time, no person shall use or drive the same unless authorised to do so under a permit issued in this behalf by the Magistrate

(ii) The owner or person in charge may apply to the Magistrate for a permit under these rules and shall furnish him with a description of the motor vehicle and such other particulars as may be required by the said Magistrate

(iii) The Magistrate may thereupon issue to the applicant, in such form and for such period as the said Magistrate may deem expedient, a permit to use the said vehicle in British India.

(iv) Any Magistrate empowered under these rules may, from time to time, extend the period of any such permit, or, for reasons to be recorded, cancel the same.

5. Nothing in these rules shall affect any of the provisions of the Motor Vehicles International Circulation Rules, 1915, or apply to any motor vehicle covered by an International Travelling Pass.

6. Nothing in these rules shall apply to Rulers of Native States or motor vehicles owned by them.

Endorsement by the Government of India, Foreign and Political Department.

No. 1745-I.A, dated Simla, the 17th August, 1916.

With reference to the letter from the Government of India in the Home Department, No. 642—Judicial, dated the 7th July 1916, a copy of the undermentioned letter forwarded to the Government of the Punjab, for information and urther necessary action.

Letter from the Government of India in the Foreign and Political Department, No. 1697-I.A., dated the 14th August, 1916.

No. 1697-I.A, dated Simla, the 14th August 1916.

From—The Deputy Secretary to the Government of India, Foreign and Political Department.

To—
1. *The Hon'ble* the Resident at Hyderabad.
2. *The Hon'ble* the Resident in Mysore.
3. *The Hon'ble* the Agent to the Governor-General in Central India.
4. *The Hon'ble* the Agent to the Governor-General in Rajputana and the Chief Commissioner of Ajmera Merwara.
5. *The Hon'ble* the Agent to the Governor-General and Chief Commissioner in Baluchistan.
6. The Resident at Baroda.
7. The Resident in Kashmir.
8. The Political Officer in Sikkim.

(With reference to your letter No. 2730-C.—1353, dated the 1st August 1915). I am directed to invite your attention to the Rules which have been framed by the Governor-General in Council under Section 14 of the Indian Motor Vehicles Act, 1914 (VIII of 1914) and to communicate the following instructions in regard to the further action to be taken:—

To Rajpuana only

Vide Home Department Notification No. 57 [Judicial] dated the 6th July 1916 copy enclosed.

(*a*) Under Rule 6, the Rulers of Native States, and motor vehicles owned by them, are exempted altogether from the operation of these Rules, Ruling Princes and Chiefs should, however, be advised to have some crest or emblem affixed to the Durbar motor vehicles when entering British India so as to facilitate their recognition by British officials.

(*b*) If and when a Native State adopts the provisions of Indian Motor Vehicles Act, 1914, as a State

law, the fact should be notified to the various Local Governments and Administrations in which case the rules framed under the Indian Motor Vehicles Act will not be enforced, and reciprocity in matters of licensing and registration will be granted on the same terms as subsist between the different provinces of British India.

Where the Act is not adopted by a Durbar these rules will apply.

(*c*) To save inconvenience to private owners of motor vehicles duly registered in States whose Durbars adopt the provisions of the Act, it is desirable that the authorities of the neighbouring British districts should be advised through the Political Officer of the marks of identification or emblems that may be prescribed by the State. These should not conflict with the marks or emblems prescribed by other States or British Provinces.

(*d*) Any Durbars which have not adopted as a State law the provisions of the Indian Motor Vehicles Act, 1914, and do not contemplate doing so, should be requested to give due publicity to the provisions of the rules under discussion, and to warn private owners of motor vehicle before entering British territory to obtain the necessary mark of identification from the Political Officers accredited to the State.

(*e*) In prescribing the marks of identification for any State within his political charge, the political Officer will take into consideration any suggestions that my be made to him by the Durbar or Durbars concerned. He should transmit to the authorities of the neighbouring British districts a description of the marks of identification prescribed by him. No fee should be charged for the grant of the mark of identification.

(*f*) If any Durbars have framed or contemplate framing Motor Vehicles Acts of their own they should be asked to grant reciprocity in the matter of licensing and registration to all motor vehicles from British India entering into or passing through Durbar territory.

2. I am to ask that a copy of the rules may be communicated to *His Highness the Nizam's*

To Nos 3, 4 and 5 only

Government, the Mysore Durbar. The Durbars of Native States under your Political Control.

The Baroda Durbar.

The Kashmir Durbar.

The Sikkim Durbar.

and that, should you see no objection, further necessary action may be taken in accordance with the above instructions.

CHAPTER IV

THE MOTOR-VEHICLES

AFGHANISTAN RULES, 1925.

Home Department

NOTIFICATION.

Judicial

No F—740/25.—Simla, hte 22nd October, 1925. In exercise of the powers conferred by section 14 of the Indian Motor Vehicles Act, VIII of 1914, the Governor-General in Council is pleased to make the following rules prescribing the conditions subject to which motor vehicles brought temporarily into British India fro n Afghanistan by persons intending to make a temporary stay in British India may be possessed, used and driven:

Rules.

1. A motor vehicle brought temporarily in British India from *Afghanistan* shall carry, fixed in a visible position on the back of the car, a distinctive plate displaying a device or lettering to indicate its nationality.

2 Any person desiring to bring a motor vehicle into British India from Afghanistan may, if he holds a pass granted by His Majesty's Minister at Kabul and containing a certificate to the effect that the vehicle is fit for use and that the driver thereof is fit to drive on the highways of British India, proceed as far as Landi Khana where he shall be entitled to receive from the Political Agent, Khybar, a permit valid for the day of issue and the following day, authorising him to drive the vehicle direct to Peshawar. On arrival at Peshawar he shall produce the aforesaid pass before the District Magistrate, Peshawar,

and apply for the endorsement thereof and for the registration of the vehicle covered thereby.

Provided that in the case of vehicles certified by His Majesty's Minister at Kabul to be the personal property of His Majesty the Amir of Afghanistan, endorsement of the pass shall have the effect of registration.

3. On receiving such an application the District Magistrate, Peshawar, shall satisfy himself that the pass was issued by competent authority, that the period of its validity has not expired, that the vehicle corresponds with the vehicle described in the pass and has affixed to it the plate referred to rule 2 and that the drivers of the vehicle are the persons whose name appears on the pass.

4. If the District Magistrate, Peshawar, is satisfied that the requirements of rule 3 have been complied with, he shall endorse the pass and shall enter in a register to be maintained by him the following particulars:--

(a) number,

(b) date of issue of pass and authority by which it was issued,

(c) full name and address of owner and driver,

(d) description of vehicle,

(e) shape and colour of body of vehicle,

(f) letters and number on identification plates,

(g) date of registration.

5. The endorsement by the District Magistrate, Peshawar, of a pass shall be valid during the period of vaildity of the pass, and shall be subject to the conditions of the prepayment of the following fees :—

	Rs.
For each motor vehicles of the touring car class	16

	Rs.
For each heavy motor vehicle under 3 tons unladen	30
For each heavy motor vehicles exceeding 3 tons unladen . .	100
For each driver (name entered on the pass)	5

Provided that the vehicles referred to in the proviso to rule 2 and vehicles belonging to British and Foreign Ministers accredited to the Court of His Majesty the Amir of Afghanistan shall be exempted from the payment of fees.

6. The affixing of an identification plate in accordance with rule 2, the holding of the pass referreed to in rule 2, the endorsement of such pass, and save in the case of motor vehicles which are the personal property of His Majesty the Amir of Afghanistan, the registration of the motor vehicle covered thereby shall during the validity of such pass be deemed to be in compliance with the conditions subject to which the motor vehicle may be possessed, used and driven in British India by the persons respectively referred to in such pass.

7. Nothing in these rules shall affect any of the provisions of the Motor Vehicles International Circulation Rules, 1915, or apply to any motor vehicle covered by an international travelling pass, or registered in British India.

and apply for the endorsement thereof and for the registration of the vehicle covered thereby.

Provided that in the case of vehicles certified by His Majesty's Minister at Kabul to be the personal property of His Majesty the Amir of Afghanistan, endorsement of the pass shall have the effect of registration.

3. On receiving such an application the, District Magistrate, Peshawar, shall satisfy himself that the pass was issued by competent authority, that the period of its validity has not expired, that the vehicle corresponds with the vehicle described in the pass and has affixed to it the plate referred to rule 2 and that the drivers of the vehicle are the persons whose name appears on the pass.

4. If the District Magistrate, Peshawar, is satisfied that the requirements of rule 3 have been complied with, he shall endorse the pass and shall enter in a register to be maintained by him the following particulars:--

(*a*) number,

(*b*) date of issue of pass and authority by which it was issued,

(*c*) full name and address of owner and driver,

(*d*) description of vehicle,

(*e*) shape and colour of body of vehicle,

(*f*) letters and number on identification plates,

(*g*) date of registration.

5. The endorsement by the District Magistrate, Peshawar, of a pass shall be valid during the period of vaildity of the pass, and shall be subject to the conditions of the prepayment of the following fees :—

	Rs.
For each motor vehicles of the touring car class	16

	Rs.
For each heavy motor vehicle under 3 tons unladen	30
For each heavy motor vehicles exceeding 3 tons unladen .	100
For each driver (name entered on the pass)	5

Provided that the vehicles referred to in the proviso to rule 2 and vehicles belonging to British and Foreign Ministers accredited to the Court of His Majesty the Amir of Afghanistan shall be exempted from the payment of fees.

6. The affixing of an identification plate in accordance with rule 2, the holding of the pass referreed to in rule 2, the endorsement of such pass, and save in the case of motor vehicles which are the personal property of His Majesty the Amir of Afghanistan, the registration of the motor vehicle covered thereby shall during the validity of such pass be deemed to be in compliance with the conditions subject to which the motor vehicle may be possessed, used and driven in British India by the persons respectively referred to in such pass

7. Nothing in these rules shall affect any of the provisions of the Motor Vehicles International Circulation Rules, 1915, or apply to any motor vehicle covered by an international travelling pass, or registered in British India.

and apply for the endorsement thereof and for the registration of the vehicle covered thereby.

Provided that in the case of vehicles certified by His Majesty's Minister at Kabul to be the personal property of His Majesty the Amir of Afghanistan, endorsement of the pass shall have the effect of registration.

3. On receiving such an application the District Magistrate, Peshawar, shall satisfy himself that the pass was issued by competent authority, that the period of its validity has not expired, that the vehicle corresponds with the vehicle described in the pass and has affixed to it the plate referred to rule 2 and that the drivers of the vehicle are the persons whose name appears on the pass.

4. If the District Magistrate, Peshawar, is satisfied that the requirements of rule 3 have been complied with, he shall endorse the pass and shall enter in a register to be maintained by him the following particulars:--

(*a*) number,

(*b*) date of issue of pass and authority by which it was issued,

(*c*) full name and address of owner and driver,

(*d*) description of vehicle,

(*e*) shape and colour of body of vehicle,

(*f*) letters and number on identification plates,

(*g*) date of registration.

5. The endorsement by the District Magistrate, Peshawar, of a pass shall be valid during the period of vaildity of the pass, and shall be subject to the conditions of the prepayment of the following fees :—

	Rs.
For each motor vehicles of the touring car class	16

(*iii*) "Motor cycle" means a motor vehicle supported by not more than three wheels and weighing not more than 5 cwts.

PART II.

MOTOR VEHICLES LEAVING BRITISH INDIA UNDER AN INTERNATIONAL DRIVING PERMIT

3 *Constitution and duties of the competent authority under the Convention*—(1) For the purposes of the Convention, the Commissioner of Police in Calcutta, Bombay, Madras and Rangoon, and elsewhere the District Magistrate shall be the competent authority, and is hereby empowered to carry out, in accordance with and subject to the provisions of these rules, the following duties, that is to say:—

(*a*) when the owner of any motor vehicle desires to avail himself of the facilities given by the Convention during travel in any of the Contracting States mentioned in the second schedule—to examine the vehicle, and if satisfied, after such examination that the vehicle is suitable, or is of a type which has been declared by the Government of India to be suitable, for use on the highway outside India, and that it fulfils the conditions specified in articles 1 to 7 of the Convention reporduced in the first schedule, to issue a certificate of fitness, in Form A in the third schedule or in a form to the like effect :

(*b*) to examine any person submitting himself for examination, and if, upon examination, he is found to be competent, to issue to him a driver's certificate of competence in form B in the third schedule, or in a form to the like effect :

Provided that a certificate of competence shall *not* be granted to any person who is under 18 years of age ;

(*c*) subject to the conditions imposed by rule 4 to the issue to the owners of motor vehicles, on behalf of the Local Government, an International driving permit, in form C in the third schedule over the signature of a Secretary to the Local Government, or in a form to the like effect.

(2) The Local Government may empower any automobile association which in its opinion is competent for the purpose to carry out the duties of the competent authority under sub-rule (1) and an automobile association so empowered may carry to the said duties in accordance with and subject to the provisions of these rules :

Provided that a certificate of fitness or competence or an international driving permit issued by an automobile association so empowered shall be subject to counter-signature by the competent authority and shall be of no effect unless so countersigned.

4. *Conditions of issue of International Driving permit.*—The following conditions shall be fulfilled before an International Driving permit is issued :—

(*a*) every motor vehicle for which an International Driving permit is issued shall be a motor vehicle in respect of which a certificate of fitness shall have been issued in pursuance of rule 3 , and

(*b*) particulars as the driver or drivers of the motor vehicles shall be specified on the International Driving permit in the place provided for the purpose, and every such driver shall possess a certificate of competence issued in pursuance of rule 3.

5. *Photographs to be affixed to driver's certificate.*—Every driver's certificate of competence shall have a photograph of the holder approved by the competent authority affixed thereon, with the date on which the photograph was taken ; and such photographs must not be more than one year old at the time of issuing the certificate.

6. *Certificate or permit to be in English.*—Every certificate or International Driving permit shall be in English.

7. *Validity of certificate or permit.*—Every certificate of fitness or of competence, and every International Driving permit issued under the foregoing provisions shall be valid for a period of one year from the date of issue.

8. *Certificate or permit to be registered.*—The issue of every certificate of fitness or of competence, and of every International Driving permit shall be entered in a register to be maintained in the office of the Commissioner of Police, or the District Magistrate, as the case may be, in such form as he may consider suitable.

9. *Fees payable on certificate or permit.*—There shall be payable in advance in respect of every certificate or permit issued under these rules the following fees, namely:—

	Rs
Certificate of fitness of motor-car . ..	5
Driver's certificate of competence .	5
International Driving permit	5

Provided that in the case of a motor cycle, one-half only of the foregoing fees shall be chargeable.

10. *Second permit not required if first is current.*—Every person exporting from British India, to a destination outside British India, not being a destination in an Indian State, any motor vehicle, in respect of which an International certificate and an International Driving permit exist, shall cause the said certificate and permit in respect of such vehicle to be produced for countersignature and registration—

(*i*) in the case of export by sea, before the Customs-Collector at the port of export;

(*ii*) in the case of of export by land, before the District Magistrate having jurisdiction in the place of export.

(2) The said Customs-Collector or District Magistrate shall endorse the said certificate and permit accordingly and shall intimate the fact to the office, if any, in which the entry of the said vehicle into British India under these rules was first registered.

PART III.

Motor Vehicles arriving in British India under an international driving permit.

11. *Application for endorsement of permit and registration of vehicle.*— Any person in charge of a motor vehicle landed at a port in British India, holding in respect of such vehicle an International Driving permit shall produce such permit, and apply to the Customs-Collector of the port for the endorsement of his permit and for the registration or the motor vehicle covered thereby.

12. *Duties of the Customs-Collector on receipt of application.*—On receiving such an application, the Customs-Collector shall satisfy himself that the permit was issued by competent authority; that the period of its validity has not expired, and that the vehicle corresponds with the vehicle described in the permit and has affixed to it the distinguished marks required to be carried by Article 5 of the Convention, and that the driver or drivers (if any) are the person or persons whose names appear on the permit.

13. *Endorsement of permit and registration of vehicle.*— If the Customs-Collector is satisfied that the requirements of rule 12 have been complied with, he shall endorse on the part of the permit set aside for the purpose the name of the port and shall sign, seal and date the endorsement, and shall enter in a register to be maintained by him the following particulars :—

(*a*) Number.

(*b*) Place of issue of International Driving permit.

(*c*) Date of issue of permit.

(*d*) Name of authority or association which issued permit.

(*e*) Full name and home address of owner of vehicle

(*f*) Description of vehicle (*e. g.*, motor car, motor cycle etc.)

(*g*) Shape and colour of body of vehicle

(*h*) Letters and numbers on identification plates

(*i*) Date of registration.

14 *Copy of entry in register to be sent to local executive authorities.*—The Customs-Collector shall forward without delay a copy of every entry made in his register in accordance with rule 13 in case of motor vehicles landed at Calcutta, Bombay, Madras and Rangoon to the Commissioner of Police, and in the case of motor vehicles landed elsewhere, to the District Magistrate.

15 *Effect of endorsement and registration.*—The endorsement of an International Driving permit and the registration of the motor vehicle covered thereby in accordance with these rules shall, during validity of such permit, be deemed to be in compliance with the conditions subject to which the motor vehicle may be possessed, used and driven in British India by the persons respectively referred to in such permit.

16. *Application of rules to motor vehicles entering British India by land.*—Any person importing by land into British India from any place outside British India, not being a place in an Indian State, any motor vehicle, in respect of which an International certificate and an International Driving permit exist, shall, within three days of his first arrival in British India, apply to any competent authority for the endorsement of the said permit and the registration of the said motor vehicle, and the competent authority to whom such application is made shall proceed in the manner prescribed in rules 12-15 as if he were the Customs-Collector.

FIRST SCHEDULE.

ARTICLES 1 TO 8 OF THE INTERNATIONAL CONVENTION RELATIVE TO MOTOR TRAFFIC CONCLUDED AT PARIS ON THE 24TH APRIL, 1926 WITH THE ANNEXES THERETO.

General Provisions.

ARTICLE 1.

The Convention applies to road motor traffic in general irrespective of the object and nature of the transport, subject, however, to the special regulations regarding public passenger trans port services and public goods transport services

ARTICLE 2

All passenger and goods-carrying motor vehicles running on any road to which the public have access, other than vehicles running on rails, are regarded as motor vehicles for the purposes of the present Coventíon.

Conditions to be fulfilled by Motor Vehicles in order that they may be admitted to travel on a Road to which the Public have Access.

ARTICLE 3.

Every motor vehicle, in order to receive international authorisation to travel on any road to which the public have access, must either have been recognised as suitable for use on any road to which the public have access after an examination by the competent authority or by an association authorised by that authority or must conform to a type approved in the same manner. The vehicle must, in any csae, fulfil the following conditions :—

I The motor vehicle must be equipped with the following :—

(a) Strong steering apparatus which will allow the vehicle to be turned easily and with certainty.

(b) Either two systems of brakes, independent of each other, or one system of brakes with two independent means of operation, of which one means of operation will function, even if the other fails to function, provided that in all cases the system used is really effective and rapid in action.

(c) If the weight of the motor vehicle when empty exceeds 350 kilog, a mechanism by means of which the vehicle can from the driver's seat be made to move backwards under its own power.

(d) When the combined weight of the empty motor vehicle and the weight of the maximum load which it is officially declared to be capable of carrying exceeds 3,500 kilog, a special mechanism, such as can prevent, in all circumstances, the vehicle from running backwards, and in addition a reflecting mirror.

The controls and steering apparatus must be so placed that the driver can manage them with certainty and at the same time have a clear view of the road

The machinery must be such as to work with certainty and disposed in such a way as to avoid, as far as possible, all danger of fire or explosion; as not to constitute any sort of danger to traffic and so as not to frighten or seriously inconvenience by noise, smoke or smell. The vehicle must be equipped with a silencer.

The wheels of motor vehicles and trailers drawn by them must be fitted with rubber tyres or with some other tyres of equivalent elasticity.

The distance between the ends of the hub-caps must not exceed the maximum width of the remainder of the vehicle.

II. The motor vehicle must carry :—

1. At the front and the back, marked on plates or on the vehicle itself, the registration number which has been allotted to it by the competent authority. The registration number placed at the back as well as the

distinctive mark referred to in Article, 5 must be lit up as soon as they cease to be visible by the light of day.

In the case of a vehicle followed by a trailer the registation number and the distinctive mark referred to in Article 5 are repeated behind the trailer, and the regulation regarding the lighting of these marks applies to the trailer.

2. In an easily accessible position and in a form easily legible, the following particulars :—

(*i*) Name of maker of chassis.

(*ii*) Maker's chassis number.

(*iii*) Maker's engine number.

III. Every motor vehicle must be fitted with an audible warning device of sufficient strength.

IV. Every motor vehicle travelling alone must, during the night and from sunset, be fitted in front with at least two white lights placed one on the sight and the other on the left, and, at the back, with a red light.

For motor bicycles unaccompanied by side-car, the number of lights in front may be reduced to one.

V. Every motor vehicle must also be equipped with one or more devices capable of effectively illuminating the road for a sufficient distance ahead unless the two white lights prescribed above already fulfil this condition

If the vehicle is capable of proceeding at a speed greater than 30 kilom. an hour this distance must not be less than 100 metres

VI. Lamps which may produce a dazzling effect must be provided with means for eliminating the dazzling effect when other users of the road are met, or on any occasion when such elimination would be useful. The elimination of the dazzling effect must, however, leave sufficient light to illuminate the road clearly for at least 25 metres.

VII. Motor vehicles drawing trailers are subject to the same regulations as separate motor vehicles in so far as forward lighting is concerned; the rear red light to be carried on the back of the trailer.

VIII. In so far as the limits regarding weight and dimensions are concerned, motor vehicles and trailers must satisfy the general regulations in force in the countries in which they travel.

Delivery and Recognition of International Certificates for Motor Vehicles

ARTICLE 4.

With the object of certifying that every motor vehicle which has received international authorisation to travel on a road to which the public have access fulfils the conditions laid down in Article 3 or is able to fulfil them, international certifiicates are delivered on the model and according to the remarks contained in Annexes A and B to the present Convention.

These certificates are valid for one year from the date of their delivery. The written particulars which they bear must always be written in Latin characters or in so-called English script.

The international certificates delivered by the authorities of one of the contracting States or by an association authosised by them with the counter-signature of the authority give the right to travel freely in all other contracting States and are recognised therein as valid without further examination. The right to use the international certificate may, however, be refused if it is clear that the conditions laid down in Article 3 are no longer being fulfilled.

Distinguishing Mark.

ARTICLE 5.

Every motor vehicle, to receive international authorisation to travel on a road to which the public have acces,

must carry in a visible position in the rear, a distinguishing mark consisting of from one to three letters written on a plate or on the vehicle itself.

For the purposes of the present Convention the distinguishing mark corresponds either to a State or to a territory, which constitutes a distinct unit from the point of view of the registration of motor vehicles.

The dimensions and colour of this sign, the letters, their dimensions and their colour are given in the table contained in Annex C of the present Convention.

Conditions to be filled by Drivers of Motor Vehicles before receiving International Authorisation to drive a Motor Vehicle on a Public Road.

ARTICLE 6

The driver of a motor vehicle must possess qualifications which provide a reasonable guarantee of public safety.

In so far as international traffic is concerned, nobody may drive a motor vehicle without having received a special authorisation delivered by a competent authority or by an association authorised by it after giving proof of his competence.

This authorisation cannot be granted to persons of less than 18 years of age.

Delivery and Recognition of International Driving Permits.

ARTICLE 7.

In order to certify, for international traffic, that the conditions laid down in the preceding article have been fulfilled, international driving permits are delivered on the model and according to the remarks contained in Annexes D and E of the present Convention.

These permits are valid for a year from the date of their delivery and for the categories of motor vehicles for which they have been delivered.

For the purposes of international traffic the following categories have been drawn up:—

A. Motor vehicles of which the combined weight of the empty vehicle and the weight of the maximum load which it is officially declared to be of capable of carrying does not exceed 3500 kilog

B. Motor vehicles of which the total weight, made up as above, exceed 3500 kilog.

C. Motor cycles with or without a side-car

The written remarks on international permits are always written in Latin characters or in so-called English script.

International driving permits delivered by the authorities of a contracting State or by an association authorised by [illegible] authorise the [illegible] notor vehicles [illegible] h they have been delivered and are recognised as valid, without re-examination, in all the contracting States. The right to use the international driving permit may, however, be refused if it is evident that the conditions prescribed in the pervious article have not been fulfilled.

Observance of National Laws and Regulations.

ARTICLE 8.

The driver of a motor vehicle travelling in a country is bound to conform to the laws and regulations regarding traffic which are in force in that country.

An extract from these laws and regulat ons may be given to motorists on entry into a country at the office at which the Customs formalites are carried out.

CHAPTER VI.

The North West Frontier Province.

Motor Vehicles Rules, 1925.

NOTIFICATION.

Peshawar, 17 November 1925.

No. 10952-G./39-2.—In supersession of this Administration's notification No. 421-G. N., dated 18 July 1918, and in exercise of the powers conferred upon him by section 11 of the Indian Motor Vehicles Act, 1914 (VIII of 1914), the Hon-ble the Chief Commissioner is pleased to make the following revised rules, which are published for general information. They shall come into force with effect from the date of this notification.

PART. I—PRELIMINARY

1. (*i*) These rules may be called the North West Frontier Province Motor Vehicles Rules, 1925.

(*ii*) They shall extend to the North West Frontier Province.

(*iii*) In these rules the words "motor vehicle" do not include any heavy motor vehicle which exceeds two tons in weight unladen.

(*iv*) In these rules—

(*a*) "night" means the period from half an hour after sunset to half an hour before sunrise;

(*b*) "hill road" includes any road running through mountainous or hilly country;

(*c*) the "outside of the road" on a hill road means the side from which the slope of the hill is downwards.

(d) "Police Officer" includes "Garrison Military Police".

PART II.—REGISTRATION

2. (i) No motor vehicle shall be used on a public highway unless it has been registered by the Inspector-General of Police, North West Frontier Province, and is provided with and carries identification marks in the manner prescribed by these rules:

Provided that no person shall be punishable for a breach of this rule if he has had no reasonable opportunity of registering the motor vehicle in accordance therewith :

Provided also that it shall not be necessary to register under this rule—

(a) Vehicles which have already been registered under the Punjab Motor Vehicles Act, 1907.

(b) Military motor vehicles

(c) Vehicles which have previously been registered outside the North West Frontier Province under the Indian Motor Vehicles Act, VIII of 1914

(ii) The fee for registration shall be Rs. 4 for motor cycles and Rs. 16 for all other motor vehicles, except as provided in rule 8 of these rules.

(iii) A fee of Re 1 will be charged for the issue of a duplicate registration certificate for any motor vehicle in the event of the original being lost.

3. The Inspector-General of Police, North West Frontier Province, shall maintain a register for the registration of motor vehicles.

The register shall be in the Form No. S. (Agency) 95 set out in Schedule I to these rules.

4. Application for the registration of a motor vehicle shall be made to the Inspector-Generel of Police, Peshawar, in the

Form No. S (Agency) 94 given in Schedule II to those rules. The fee prescribed under rule 2 (ii) shall be sent with the application.

5. On receipt of any such application with the prescribed fees, the Inspector-General, if the application be in order and the motor vehicle be declared by the applicant to have a horn, two sets of brakes, a silencer, a smoke consumer and a speed indicator, shall assign a separate No. to the motor vehicle, and shall register it by making, or causing to be made, the required entries in the register.

On the registration of the motor vehicle, the Inspector General of Police shall intimate the No. assigned to the motor vehicle to the owner, and shall give the owner a certificate of registration in the Form No. S (Agency) 96 set out in Schedule III to these rules.

6. Every transfer of ownership of a motor vehicle registered under these rules, or exempt from registration under rule 2 (i) (a) of these rules, shall forthwith be reported to th Inspector-General of Police, North West Frontier Province, by the transferee and the transferor within fourteen days of such transfer. No charge will be made for recording a transfer of ownership.

6-A. Information of all permanent transfers from one station to another necessitating a change in the postal address of the owner of a motor vehicle shall be communicated within ten days of such transfer to the Inspector-General of Police, North West Frontier Province.

6-B. When, after registration, a motor vehicle ceases to conform to the requirements of rules 16 and 22, the registering authority may direct, after notice to the registered owner, that the registration be cancelled until such time as the defects are rectified to its satisfacation.

7. The identification marks to be carried by a motor vehicle under rule 2 (i) shall consist of two plates which must conform as to lettering, numbering and otherwise with the provisions set out in Schedule IV to these rules :

Provided that, in the case of a motor biycle without side-car attachment, one identification plate affixed in front shall be sufficient if it displays the identification marks on both sides.

8. The Inspector-General of Police may assign to a manufacturer of, or dealer in, motor vehicles, on payment of an annual fee of Rs. 30, a general No. which, together with a distinguishing alphabetical letter of the same dimensions as the No. shall be affixed as laid down in rule 9 to any motor vehicle when on trial after completion, or when on trial by an intending purchaser. The registration fee prescribed by rule 2 (ii) shall not be payable in respect of such vehicle, provided that such motor vehicle shall not ply or be let for hire unless it has been registered under rule 2.

9. (1) The plates forming identification marks shall be fixed one on the front of and the other on the back of the motor vehicle in an upright position so that every letter or figure on the plate is upright and easily distinguishable in the case of the plate placed on the front of the vehicle, from the front of the vehicle and in the case of the plate placed on the back of the vehicle, from behind the vehicle.

In the case of a motor tricycle or motor bicycle of a weight unladen not exceeding three hundred weights the plate fixed on the front of the cycle may, if it is a plate having duplicate faces conforming with the fourth schedule to these rules, be fixed so that from whichever side the cycle is viewed the letters or figures on one or other face of the plate are easily distinguishable though they may not be distinguishable from the front of the cycle

(2) When another vehicle is attached to a motor vehicle either in front or behind, the plate required to be fixed on the front or on the back of the motor vehicle or a duplicate of such plate shall be fixed on the front or on the back of the vehicle attached, as the case requires in the same manner as the plate is required to be fixed upon the motor vehicle.

10. Whenever during the period between half an hour after sunset and half an hour before sunrise a motor vehicle

is in a public place, a white light shall be kept on the vehicle so contrived as to illuminate by means of reflection, transparency, or otherwise, and render easily distinguishable, every letter or figure on the identification plate fixed on the back of the motor vehicle, or of any vehicle attached to the back of the motor vehicle, at the case may be.

In the application of this article to a motor bicycle without side-car attachment of a weight not exceeding three hundred-weights, the plate fixed on the front of the motor vehicle may, if desired, be substituted for the plate fixed on the back of the motor vehicle.

PART III.—LICENSING OF DRIVERS.

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11. No person may drive a motor vehicle without a license granted under section 6 of the Act.

The licensing authority shall be the Superintendent of Police :

Provided, however, that a driving license granted in accordance with any rule in force for the time being in any other part of British India shall be valid in the North West Frontier Province up to the expiry of the calendar year of its issue.

11-A. No person shall be granted a license under rule 11 to drive a motor vehicle unless he be of eighteen years of age or over and has satisfied a test in competency and carefulness in driving conducted by a person appointed for this purpose by the licensing authority :

Provided that no such test shall be necessary if the appplicant for a license has already held a license for one year or more.

12. Every license to drive a motor vehicle granted under section 6 of the Act shall remain in force during the calendar year of issue.

13. There shall be payable for every license a fee of Rs. 2 per annum. A fee of 8 annnas will be charged for the issue of a duplicate license in the event of the original being lost.

14. Every license shall be in the Form No S (Agency) 100 given in Schedule V annexed to these rules

PART IV—General.

Directions in regulation of traffic.

15. (1) The person in charge of a motor vehicle shall obey all directions of Police Officers posted or stationed at crossing or other places for the regulation of traffic and shall cause the motor vehicle and the engine to stop and to remain stationary so long as may reasonably be necessary—

(*a*) when requested to do so by any Police Officer for the purpose of ascertaining his name and address, or for any other reasonable purpose ; or

(*b*) when approaching restive horses or animals or when requested to do so by any person having charge of restive horse or animal , or

(*c*) when an accident occurs to any person or to any animal or vehicle in charge of any person owing to presence of the motor vehicle on the road.

(2) The request referred to above may be made by such Police Officer or person either verbally or by raising his hand as a signal.

(3) The person in charge of a motor vehicle shall, on the request of any Police Officer or, on the occurrence of an accident such as is referred to in sub-rule (*i*) (*c*), on the request of any other person, truly state his name and address and the name and place of abode or business of the owner, and shall further render all possible assistance to any person injured, and if there be no

Police Officer present, shall give intimation of the accident at the nearest police station.

16. Every person driving a motor vehicle shall have ready and available for immediate use a suitable horn capable of giving audible and sufficient warning of his approach of position and shall sound the same whenever expedient to prevent danger to any of the public.

Motor vehicle to carry horn

17. No motor vehicle shall be in a public place at night without two lighted lamps of suitable character and illumination affixed thereto one at either side of the front portion of the vehicle the light being white and directed forward, and without one lighted lamp affixed at the back of the vehicle, the light thereof being red and directed backwards :

Lights

Provided that in the case of a motor bicycle without side-car attachment, one lamp only showing a white light ahead shall be sufficient.

Within the limits of any cantonment or municipality the upper portion of lamps of any description giving a powerful or intense light must be hooded or screened to the satisfaction of the licensing authority within such cantonment or municipality.

18. No motor competition, reliability trial, display or exhibition shall be permitted on any public road without the previous sanction of the Inspector-General of Police, North West Frontier Province.

motor competition or reliability trial

19. A motor vehicle shall be driven in accordance with the rules of the road, which require a vehicle to keep on the left of the road, except when overtaking horses or vehicles, which shall be passed on the right.

20. No person shall in any public place learn to drive a motor vehicle unless accompanied by a licensed driver who is in a position adequately to control the motor vehicle.

21. No motor vehicle shall stand in public place with the engine in movement unless the vehicle is occupied by some person competent to control the engine.

22. No motor vehicle shall be driven in public place unless it is provided that—

(a) two sets of brakes in effective working order and acting independently of each other,

(b) efficient apparatus to silence or minimise the sound of the exploding gases in the engine;

(c) a speedometer in accurate working order;

(d) a smoke consumer, i. e., an effective apparatus to consume smoke or visible vapour and to prevent it being emitted in such quantities as to cause annoyance or danger to the public

23 No motor vehicle shall be let or shall ply for hire except under a license granted by the Superintendent of Police in the Form No. S (Agency) 110 (a) set out in Schedule VI to these rules.

—:o:—

PART V.—SPECIAL RULES RELATING TO CERTAIN LOCALITIES.

24. No motor vehicle shall be driven within the limits of any cantonment in the North West Frontier Province at a greater speed than fifteen miles per hour, or within the limits of any municipality or notified area in the North West Frontier Province at a greater speed than ten miles per hour:

Provided that in any case in which a lower speed limit is desirable, the cantonment, municipal, or notified area committee concerned may, with the previous sanction of the Local Administration, determine this speed limit, notifying the same on all public roads entering these areas by notice

boards erected in a prominent position on the left hand side of the road.

24-A. Motor vehicles passing bodies of troops, Police, Constabuary or Militia, and their convoys, shall not be driven at a speed in excess of ten miles per hour.

24-B. Motor lorries while within cantonment limits shall not be driven at a speed in excess of ten miles an hour.

—:o:—

HILL ROADS AND HILL STATIONS.

25 The use by motor vehicles of the roads included in Schedule VII is subject to the restrictions stated in the case of each road.

Rules of the Act

26. Motor vehicles travelling on hill roads shall, where practicable, pass all animals or vehicles drawn by animals on the outside of the road in whichever direction such animals may be proceeding.

The driver of a motor vehicle travelling on hill roads shall, in passing animals, allow as much space as the width of the road permits.

SCHEDULE I.

Register of motor vehicles.

1	2	3	4	6			6	7	8	9	10	11	12	13	14	15	16	17
				Whether intended for														
Index mark and No on identification plate.	Full name and profession or calling of owner.	Postal address of owner	Whether previously registered in India. If so previous registration No. and place where registered.	(a) Private use	(b) Trade purposes	(c) A public conveyance	Name of maker	Year of manufacture	Type	Type of body.	Colour of body, or of cycle and side-car	Seating capacity	Carrying capacity.	If motor cycle, whether fitted with side-car.	Horse power	Number of cylinders.	Engine No.	Chassis No.

18						19																20	21
Whether provided with						heavy motor vehicle or trailer																	
							Axle wieght.						Wheels.			Tyres				ment measure- Maximum			
							nladen.			Register				Diameter			Width.						
(a) A horn	(b) Two sets of brakes.	(c) A smoke consumer.	(d) A silencer.	(e) A speed indicator.	(f) A taximeter	Weight unladen.	Front.	Back	Total	Front	Back.	Total	Material of	Front	Back	Material of	Front	Back.	Maximum speed allowed	Length	Breadth	Date of registration	If registration is cancelled, date of cancellation.

Application for the registration of a motor vehicle in Brittsh India.

(To be submitted in duplicate, one copy of which will be attached to the certificate of registration.)

I (*a*)
residing at (*b*)
hereby apply for the registration of a motor
of which particulars are given in schedule II for the purpose of
within (*c*) under the provisions of the rules made under the Indian Motor Vehicles Act, 1914.

I hereby declare that the particulars given at page 11 in relation to the motor to which this application relates, are true to be best of my knowledge and belief

(*d*) I further declare that no former license of mine granted under the Motor Vehicles Rules has ever been revoked or suspended and that I am not under 21 years of age

The necessary fees of Rs

is enclosed.

has been sent by money order.

has been deposited in the Local Treasury and the receipt is attached.

Signature in full

Profession or calling

STATION
The *19* .

To

(To be filled in the office of registration.)

I certify that I have examined the abovenamed vehicle and ound it to comply with the rules framed under the Act in all respects as required for registry. I consider it to be not dangerous to the public and that a certificate of registration should be granted.

I further declare that the particulars given at page 11 in respect of the vehicle are correct.

Signature

Designation

STATION
The 19 }

(a) Insert Christian name and surname in full If a member o a firm. say senior partner of the firm of
If a company is the applicant, say I, A B, Secretary or Manager of such and such a company.

(b) Postal address and usual residence of owner If a firm, say where carrying on business. If a company, say where chief office is.

(c) Here enter British India, or specified area, as the case may be.

(d) This applies in the case of registration of omnibuses and char-a-bancs only If a former license has been revoked or suspended, the date and cause of such revocation are to be stated in a separate note which should be attached in duplicate to this application.

SCHEDULE II.

Particulars required for registration of a motor vehicle.

1. Whether previously registered in India. If so, state previous registration No. and place where registered.
2. Whether intended for—
   (*a*) private use,
   (*b*) trade purposes,
   (*c*) a public conveyance.
3. Name of maker.
4. Year of manufacture.
5. Type.
6. Type of body.
7. Colour of body, or of cycle and side-car.
8. Seating capacity *
9. Carrying capacity †
10. Horse power.
11. Number of cylinders.
12. Number stamped on—
    (*i*) engine
    (*ii*) chassis.
13. Whether vehicle is provied with—
    (*a*) a horn
    (*b*) two sets of brakes.
    (*c*) a smoke consumer.
    (*d*) a silencer.
    (*e*) a speed indicator.
    (*f*) a taximeter.
14. In the case of a heavy motor vehicle or trailer state—
    (*i*) Weight of vehicle unladen.
    (*ii*) Axle weight of—
      (*a*) front axle—
        (1) unladen.
        (2) register.
      (*b*) back axle—
        (1) unladen.
        (2) register.
    (*iii*) Material of the wheels.
    (*iv*) Diameter of—
      (*a*) front wheel.
      (*b*) back wheel.
    (*v*) Material of tyres.
    (*vi*) Width of tyres of—
      (*a*) front wheel.
      (*b*) back wheel.
    (*vii*) Maximum speed.
    (*viii*) Maximum measurement—
      (*a*) length.
      (*b*) breadth.

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* In the case of motor cycle state if fitted with side-car

†Up to 15 cwt.	. 3 tons.	In the case of light vans and motor lorries Steam lorries to be marked "S".
15 to 30 cwt.	... 4 tons	
2 tons	.. 5 tons.	
6 tons and over.		

N. B.—Vehicles, generally and practicularly heav y motor cars an trailers, must be presented in an efficient condition for examinationd property marked, fitted and equipped to be full requirements of the, rules.

"Heavy motor car" means a motor car exceeding two tons in weight when unladen.

"Trailer" means a vehicle drawn by a heavy motor car

"Axle weight" means the aggregate weight transmitted to the surface of the road or other base whereon a heavy motor car or trailer moves or rests by the several wheels attached to that axle when the car or trailer is laden.

"Wheight" when used in relation to a heavy motor car to trailer, means a, when the car or trailer is unladen the weight of the vehicle [illegible]

SCHEDULE III.

Book No. Serial No.

Registration No.

(1) Owner's name.
(2) Maker's name.
(3) Engine No.
(4) Chassis No.
(5) Date of issue of certificate

Initials of registration authority.

Registration fees of Rs. paid and entered in cash book.

Accountant.

Renewals.

Date of renewal.	Period of renewal.	Initials of registering authority.	Initials of accountant in token of having entered renewal fee in cash book.

S. (Agency) 96

Book No. Serial No.

NOT TRANSFERABLE

Certification of Registration of a Vehicle

(*To be retuned for cancellation should the ownership of the vehicle change hands*

Registration No Fee—Rs

Certified that as specified in the attached duplicate copy of application for registration if the ownership of has been registered by me as this day of 19

The No. assigned shall not be transferred from one vehicle to another.

This certificate will be accepted as evidence of registration throughout British India and is valid * until the day of or previous cancellation.

STATION

The 19 . } *Signatuer and designation of registering authority*

* Delete if unnecessary

Renewals.

Date of renewal	Period of renewal	Signature of registering authority.

N. B —The following information must be communicated to the registering authority without fail—

(a) Notice within fourteen days of all changes in ownership by both the transferor and the transferee.

(b) Notice within ten days of all permanent transfers from one station to another necessitating change in postal address of the owner.

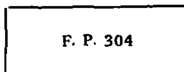
S (Agency) 96

SCHEDULE IV.

IDENTIFICATION PLATE.

Provisions to be complied with.

1. Each plate must be rectangular and bear upon it the distinguishing letters F P. of the Province and the separate No. assigned to the motor vehicle by the Inspector-General of Police in conformity with the arrangement of letters and figures shown on the diagram delow :—



2. The ground of the plate must be black , the letters and figures must be white.

3. All letters and figures must be 3½ inches high ; every part of every letter and figure must be 5/8ths of an inch broad and the total width of the space taken by every letter or figure, except in the case of figure 1, must be 2½ inches.

4. The space between adjoining figures must be half an inch, and there must be a margin between the nearest part of any letter or figure and the top and bottom of the plate of at least half an inch, and between the nearest part of any letter or figure and the side of the plate of at least one inch. The space between the letter P and the figures must be 1½ inches.

5. In the case of motor cycle, each of the dimensions mentioned above may be halved.

SCHEDULE V.

Book No.
Serial No. of license

LICENSE.

(License to drive a
granted under section II of the Indian Motor Vehicles Act, VIII of 1914.)

Name
residing at
is hereby licensed to drive a in British India,
having paid a fee of Rs.

This license shall continue in force only until 19 , or previous cancellation.

Signature and designation of licensing authority.

STATION

The 19

Memo. of fee collected.

	Rs.
Fee for motor car driving license ...	
Fee for motor cycle driving license ...	
Fee for renewal of driving license No. ...	

Amount (in words)

Initials

Received and entered in cash book.

Pay Officer.

Book No.
Serial No.

LICENSE.

(License to drive a
granted under section II of the Indian Motor Vehicles Act, VIII of 1914.)

Name
residing at
is hereby licensed to drive in British India,
having paid a fee of Rs.

This license shall continue in force only until 19 , or previous cancellation.

N B—All permanent changes of address should be notified forthwith to the licensing authority

Signature and designation.

STATION

The 19

SCHEDULE VI.

Permit for the letting or plying for hire of motor vehicles.

I,
hereby permit the letting or plying for hire between
and of the motor
vehicle described below belonging to
residing at
whose head office is at
subject to the following conditions :—

(Here enter description of motor vehicle.)

Conditions.

(1) This permit is granted subject to the provisions of the Indian Motor Vehicles Act, VII of 1914, as subsequently amended, and the rules made under section 11 thereof. It shall be in force for a period of months from this date.

(2) Not more than passengers in addition to the driver and conductor shall be carried in the vehicle with luggage not exceeding in all lbs but in place of each passenger short of the prescribed maximum, goods or luggage to the weight of lbs. may be carried The conductor shall stop issue of tickets when the maximum number of passengers the vehicle is allowed to carry has been reached and he shall not demand more than the proper fare to which he is legally entitled.

(3) The permit shall be carried by the driver of the car whenever the vehicle is in use and the number of persons and weight of luggage specified in condition (2) shall be painted on a conspicuous part of the vehicle so as to be at all times easily read.

(4) The owner of such a vehicle shall arrange for its examination once in every six months by the

as to its structural strength, condition and running order generally and his decision as to its fitness for use on the road shall be final. The fee for each examination shall be Rs. The vehicle shall not be let or ply for hire for a period exceeding six months without its being examined in the manner specified above.

(5) The vehicle shall at all times be open to inspection (1) by and (2) by any police officer not below the rank of . If any officer considers the vehicle to be unfit for use on the road he shall record his reasons in writing and shall communicate them to the owner as well as to The vehicle shall not then be let or ply for hire without the special permission of the

(6) This permit may be cancelled by for any breach of its conditions or for any infringement of the provisions of any Act of any rule having the force of law. When any permit has been cancelled the holder there of shall forthwith return it to the officer who issued it.

(7) The vehicle shall be driven only by a person certified by the licensing authority to be competent to drive the particular vehicle.

(8) The weight of the vehicle when fully loaded shall in no case exceed.

(9) The speed at which the vehicle may be driven shall be subject to the following conditions.

(Here enter the conditions.)

(10) This permit shall not be transferred to any other person without sanction duly endorsed thereon by the licensing authority.

NOTE.—For the purposes of these conditions a motor omnibus or char-a-banc shall be taken to mean a motor vehicle which is let or plies for hire and has seating accommodation for or more passengers.

Signature and designation of authority granting permit.

S (Agency) 110 (a)

SCHEDULE VII.

Murree-Abbottabad Road.—No moto vehicles are permitted on the road from Dhamtaur to Changlagali *via* Bagnotar and Nathiagali.

Malakand Pass Road.—No motor vehicle shall be driven between a point one mile north of the Levy Post Dargai and Piran Killi (Canal Workshop) at a greater speed than ten miles per hour

Havelian-Abbottabad Road.—No motor vehicle shall be driven on the stretch of road from the junction of the Havelian Railway Station Road with the Hazara Trunk Road at the Daur Bridge to the Abbottabad municipal area—a distance of 8¼ miles at a speed exceeding twenty miles per hour

CHAPTER VII

MOTOR-VEHICLE REGULATION AND RULES THERE-UNDER AS AMENDED AND SANCTIONED BY HIS HIGHNESS THE MAHARAJA BAHADUR.

THE JAMMU AND KASHMIR STATE MOTOR VEHICLES REGULATION.

No. 1 of 1975.

A Regulation to consolidate and amend the law relating to Motor Vehicles in the State of Jammu and Kashmir

Whereas it is expedient to consolidate and amend the law relating to Motor Vehicles in the State of Jammu and Kashmir; it is hereby enacted as follws :—

PART I.

Preliminary.

Short title, extent and commencement

1. (1) This Regulation may be called the Jammu and Kashmir State Motor Vehicles Regulation 1975.

(2) It shall come into force at once.

2. "*Motor Vehicle*" includes a vehicle, carriage, or other means of conveyance propelled, or which may be propelled, on a road by electrical or mechanical power either entirely or partially ;

"*Prescribed*" means prescribed by rules under this Regulation.

"*Public Place*" means a road, street, way or other place, whether a thorough-fare or not to which the public are granted access, or over which they have a right to pass.

"Jhelum Valley Road" for purposes of this Regulation and Rules thereunder means the main road from Anantnag to Srinagar and Srinagar to Kohala and includes the section of the metalled road between Singhapur turning and Tungmarg.

PART II.

Provisions of general application.

3. (1) No person under the age of 18 years shall drive a motor-vehicle in any public place.

Prohibition of driving Motor Vehicles by persons under 18

(3) No owner or person in charge of a motor-vehicle shall allow any person under the age of 18 years to drive the same in any public place, and, in the event of a contravention of sub-section (1) the Court may persume that motor-vehicle was driven with the consent of the owner or person in charge.

(4) The person in charge of a motor-vehicle shall cause the vehicle to stop and to remain stationary so long as may reasonably be necessary

Duty to stop vehicle or regulating traffic and in case of accident

(*a*) When required to do so by any Police officer or the motor Inspector, Jhelum Valley Road for the purpose of regulating traffic or of ascertaining his name and address with a view to prosecuting such person under this Regulation or any purpose connected with the enforcement of the provisions of this Regulation or the rules thereunder, or

(*b*) When required to do so by any person, having charge of any animal, if such person apprehends that the animal is, or will be, alarmed by the motor-vehicle, or

(c) When he knows or has reason to believe that an accident has occurred to any person or to any animal or vehicle in charge of a person owing to the presence of the motor-vehicle, and he shall also, if so required, give his name and address of the owner of such motor-vehicle

Reckless driving.

5. Whoever drives motor-vehicle in a public place recklessly or negligently, or at speed or in a manner which is dangerous to the public, having regard to all the circumstances of the case, including the nature, condition and use of the place, and the amount of traffic which actually is at the time, or which might reasonably be expected to be, in the place, shall, on conviction, be punishable with fine which may extend to five hundred rupees.

PART III.

Licensing and control.

Licensing of Drivers

6 No person shall drive a motor-vehicle in a public place unless he is licensed in the prescribed manner, and no owner or person in charge of a motor-vehicle shall allow any person who is not so licensed, to drive it.

Provided that, subject to rules made by His Highness in this behalf, this section shall not apply to a person receiving instructions in driving a motor-vehicle.

Transfer of license.

7. The holder of a license shall not allow it to be used by any other person.

Production of license

8. The driver of a motor-vehicle shall produce his license upon demand by any Police officer, or the motor Inspector, Jhelum valley Road.

Extent of validity of license to drive.

9. Every license to drive a motor-vehicle shall be valid in such area as may be specified therein.

Registration of Motor-Vehicle

10. The owner of every motor-vehicle shall cause it to be registered in the prescribed manner.

Power of His Highness to make rules

11. (1) His Highness, subject to the condition of previous publication, shall make rules for the purpose of carrying into effect the provisions of this Regulation and of regulating, in the whole or any part of the State, the use of motor-vehicles, or any class of motor-vehicles in public places.

(2) In particular, and without prejudice to the generality of the foregoing powers, His Highness may make rules for all or any of the following purposes, namely :—

(a) Providing for the registration of motor-vehicles, and the conditions subject to which such vehicles may be registered, the fees payable in respect of and incidental to registration, the issue of certificates of registration, the notification of any changes of ownership ,

(b) Providing for facilitating the identification of motor-vehicles by the assignment of distinguishing number to such vehicle, and the displaying of number and name plates thereon, or in any other manner ;

(c) Regulating the construction and equipment of motor-vehicles, including the provision and use of lights, bells, horns, brakes, speed-indicators or other appliances ;

(d) Prescribing the authority by which, and the conditions subject to which, drivers of motor-vehicles or any class of such drivers may be licensed, the fees payable in respect of such licenses, and (subject to the provisions of section 9), the area within which, and the duration for which, licenses shall be valid;

(*e*) Prescribing the conditions subject to which, and the fees (if any) on payment of which, motor-vehicles may be let or plied for hire in public places, generally or in any particular public place;

(*f*) Prescribing the precautions to be observed when motor-vehicles are standing in any public place;

(*g*) Limiting the speed at which motor-vehicles may be driven generally or in any particular public place;

(*h*) Prohibiting or regulating the driving of motor-vehicles in public places, where their use may, in the opinion of His Highness be attended with danger, or inconvenience to the public; and

(*i*) Providing generally for the prevention of danger, injury or annoyance to the public or any person or of danger or injury to property, or of obstruction to traffic.

(3) All rules made under this section shall be published in the State Gazette and, on such publication, shall have effect as if enacted in this regulation.

Posting notices

12. The prescribed authority shall give in the prescribed manner, public notice of any rule, made by His Highness under section 11, prohibiting or regulating the driving of motor-vehicles in any public place, or limiting the speed of motor-vehicles in any such place, and, for the purpose of giving effect to any such rule shall display conspicuous notices at or near the place to which the rule refers.

Power of His Highness to exclude areas or Motor Vehicles from this part

13. His Highness may, by notification in the State Gazette, exclude any area, specified in such notification, from the operation of this part, and may, by a like notification, exempt either generally or for a specified period, any motor-vehicle or class of motor-

vehicles from the operaton of all or any of the provisions of this part

PART IV.

Motor-Vehicles temporarily leaving or visiting the State.

Power of His Highness to make rules

14 (1) His Highness may make rules for all or any of the following purposes, namely :—

(i) for the grant and authentication of any travelling passes, certificates or authorities for the use of persons temporarily taking their motor-vehicles out of the State, or to drivers of such vehicles when proceeding out of the State for the purpose of driving such vehicles, and

(*ii*) prescribing the conditions subject to which motor vehicles brought temporarily into the State by persons intending to make a temporarily stay there may be possessed, used and driven.

(2) All rules made under this section shall be published in the State Gazette; and on such publication, shall have effect as if enacted in this Regulation.

Saving.

15. Nothing in this Regulation or in any rule made thereunder relating to :—

(*a*) The registration of motor-vehicle,

(*b*) Requirements as to construction, identification or equipment of such vehicles, or

(c) The licensiug or qualifications of drivers of such vehicles,

shall apply in the case of any motor-vehicles such as is referred to in clause (*ii*) of sub-section (*i*) of section 14, or of any person possessing, using or driving the same, provided tha

the requirements of any rule made under the said clause and applicable to such vehicle or person are complied with.

PART V.

Miscellaneous.

Penalties.

16. Whoever contravenes any of the provisions of this regulation or any rule made thereunder shall, if no other penalty is elsewhere provided in this Regulation for such contravention be punisable with fine which may extend to Rs. 100, and in the event of such person having been previously convicted of an offence under this Regulation or any rules made thereunder with fine which may extend to Rs. 200.

Provided that in the event of such contravention on the Jhelum Valley Road the aforesaid fine may extend to Rs. 300 in case of first conviction and to Rs. 500 for every subsequent conviction.

16-A The registered or other proprietor of the Motor-Vehicles with respect to which an offence punishable under any of the provisions of this Regulation or of any Rule made thereunder has been committed on the Jhelum Valley Road also shall be liable and bound to pay the fine or such part of the fine as remains unrealized from the person convicted In such cases the fine or such part of the fine as remains unrealized from the person convicted may be realized from such proprietor in accordadce with the provisions of the Code of Criminal Procedure 1969.

Cognizance of offences.

17 (1) No court inferior to that of a Magistrate of the 2nd class shall try any offence punishable under this Regulation or any rule made thereunder.

(2) Each Divisional Engineer (Road & Buildings) in charge of a section of the Jhelum Valley Road shall ex-officio be a Magistrate of the first class with summary Power under Section 260, of the Code of Criminal Procedure 1969 to try any offence committed within the limits of his jurisdic-

tion punishable under any of the provisions of this Regulations or of any rule made thereunder.

(3) Notwithstanding anything to the contrary in sectione 403, 413, 414, and 430 of the Code of Criminal Procedure 1969, a person convicted under Sub-section (2) of this Section by a Divisional Engineer (Roads and Buildings) or the proprietor against whom or whose motor vehicle any proceedings under Section 16 A for the realizatian of fine has been taken may appeal to the District Magistrate against such cenviction and sentence.

18. (1) The Home Minister may, in his discretion.—

Cancellation and suspension of licenses and disqualification for obtaining license

(*i*) cancel or suspend any license granted under this regulation and,

(*ii*) declare any person disqualified for obtaining a license under this regulation either permanently or for such period as he thinks fit.

Provided that the powers conferred under this Subsection shall on the Jhelum Valley Road be exercised by the District Magistrare of Srinagar

(2) Any court by which any person is convicted of an offence against the provisions of this regulation or any rule made thereunder or of any offence in connection with the driving of a motor-vehicle shall, if such person holds a licen se under the regulation, cause particulars of the conviction to be endorsed thereon and may, in respect of such person and of his license, if any, exercise the like powers as are conferred by sub-section (1) on the Home Minister, or the District Magistrat.

Provided that no order made by a court under this subsection shall affect any person or license for a period exceed ing one year from the date of such conviction.

(2) May suspend such license until the termination of the proceedings before it.

(3) Any court before which the holder of a license under this regulation is accused of any offence mentioned in sub-section.

(4) A copy of every order of cancellation, suspension or disqualification made under this section, in respect of a license or the holder of a license shall be endorsed on the license and a copy of every endorsement, in accordance with the provisions of this section, shall be sent to the authority by which such license has been granted.

(5) Every holder of license shall when called upon to do so, produce his license before any authority acting under this section.

(6) A person whose license has been cancelled or suspended in accordance with the provisions of this section, shall, during the period for which such order of cancellation has effect, or during the period of suspension, as the case may be, be disqualified for obtaining a license.

(7) No person whose license has been endorsed or who has been disqualified for obtaining a license shall apply for, or obtain a license without giving particulars of such endorsement or disqualification.

19. Regulation 19 of 1966 is repealed hereby :—

Provided that any appointment, notification, order, rule, form or license made or issued under the said regulation, shall, so far as it is not inconsistent with the provisions of this regulation, continue in force and be deemed to have been issued under the provisions of this Regulation, unless and until it is superseded by any appointment, notification, order, rule, form or license made or issued under this regulation.

Arrest of offenders without warrant.

20. (1) Any Police officer or the motor Inspector, Jhelum Valley Road, may, without an order from a Magistrate and without warrant, arrest any person committing in his view, a breach of any rule made section 14, if the name and residance of such person be unknown to such officer and cannot be ascertained by him then and there.

(2) When any such arrest has been made, the provisions of section 57 sub-section (2) and (3) and section 60 to 63 of the Code of Criminal Procedure shall apply.

Saving of liability

21. Nothing in this regulation shall affect any liability whatever, whether civil or criminal, of the driver or owner of a motor vehicle arising under any other enactment or otherwise.

His Highness is pleased to section the following rules under the Motor-vehicle Regulation, 1975

"A"

MOTOR VEHICLES RULES

PART I.

Preliminary

1. (i) These rules may be called the Jammu and Kashmir State Motor-Vehicles Rules, 1975.

(*ii*) They shall extend to the whole of Jummu and Kashmir State

(*iii*) In these rules the word "motor-vehicle" does not include a heavy motor-vehicle as defined in rule 1 (3) of heavy Motor-vehicles Rules.

(*iv*) In these rules :—

(*a*) "*Night*" means the period from half an hour after sun-set to half an hour before sun-rise.

(b) "*Hill road*" includes any road running through mountainous or hilly country.

(c) The "*outside of the road*" on a hill road means the side from which the slope of the hill is downwards

PART II.

Registration.

2. (i) No motor-vehicle shall be used on a public highway, unless it has been registered by the Disirct Magistrate and is provided with and carries identification marks in the manner prescribed by these rules ;—

Provided that no person shall be punishable for a breach of this rule if he has had no reasonable opportunity of registering the motor-vehicle in accordance therewith.

Provided also that it shall not be necessary to register, under this rule, vehicles which have already been registered under the Motor-Vehicles Regulation of 1966.

"Provided further that any Motor Vehicle registered within the marginally noted territories and places in accordance with the provision of the law and rules relating to the registration of motor Vehicles in force therein shall be deemed to be duly registered, within the meaning of Section 10 of the Jammu and Kashmir State Motor Vehicles Regulation No. 1 of 1975."

1. Territories under Government of Bengal, Behar and Orisa, Bombay, the Punjab and Madras and the Nezam of Hyderabad, Gwalior Durbar and the Chief Commissioner of [illegible]

(ii) The fee for registration shall be Rs. 4 for motorcycles, and Rs. 16 for all other motor-Vehicles; except as provided in rule 8 of these rules.

(iii) No such fee as foresaid shall be demanded or levied in respect of motor-vehicles belonging to :—

(a) His Highness or members of the ruling family.

(b) The Resident in Kashmir or the First or Second Assistant to the said Resident or the Residency Surgeon and

(c) The Ministers of His Highness.

(3) The District Magistrate shall establish and keep a register for the registration of motor-vehicles.

The register shall be in the form set out in Schedule I to these rules.

4. Application for the registration of a motor-vehicle shall be made to the District Magistrate in the form given in Schedule II to these rules. The fee prescribed under rule 2 (*ii*) shall be sent with the application.

(5) [illegible] the prescribed fee, [illegible] separate number [illegible] making or causing to be made the required entries in the register

On the registration of the motor-vehicle the District, Magistrate shall intimate the number assigned to the motor-vehicle, to the owner, and shall give the owner a certificate of registration in the form set out in schedule III, to these rules.

6. Every transfer of ownership of a moter-vehicle, registered under these rules, or exempt from registration under rule 2 (*iii*) of these rules forthwith be reported to the District Magistrate by the transferee and the transferor within 10 days of such transfer.

7. The identification marks to be carried by a motor-vehicle under rule 2 (*i*) shall consist of 2 plates which must conform as to lettering, numbering and otherwise with the provisions set out in Schedule IV to these rules.

8. The District Magistrate may assign to a manufacturer of, or a dealer in, motor-vehicles, on payment of an annual fee of Rs. 30, a general number which together with a distinguishing alphabetical letter of the same dimensions as the number, shall be affixed as laid down in rule 9 to any motor-vehicle when on trial after completion, or when on trial by an intending purchaser. The registration fee prescribed by rule 2 (ii)shall not be payable in respect of such vehicle, provided that such motor-vehicle shall not ply or be let for hire unless it has been registered under rule 2.

9. The plates forming identification mark shall be fixed, one on the front of, and the other on the back of, the motor-vehicle in an upright position, so that every letter or figure on the plate is upright and easily distinguishable in the case of the plate placed on the front of the motor-vehicle *from the front of the vehicle*, and in the case of the plate placed on the back of the vehicle from behind the vehicle.

In the case of a motor-tricycle or motor bicycle of a weight unladen not exceeding three hundred-weights, the plate fixed on the front of the cycle may, if it is a plate having duplicate faces conforming with the third schedule to these rules, be fixed so that from whichever sight the cycle is viewed the letters or figures on one or other face of the plate are easily distinguishable though they may not be distinguishable from the front of the cycle.

10. Whenever during the period between half an hour after sun-set and half an hour before sun-rise a motor-vehicle is used on a public highway, a lamp shall be kept burning on the vehicle, so contrived as to illuminate, by means of reflection, transparency, or otherwise, and render easily distinguishable every letter or figure on the identification plate fixed on the back of the motor-vehicle.

In the application of this article to a motor-tricycle or motor-bicycle of a weight unladen not exceeding three hundred-weights, the plate fixed on the front of the motor vehicle may, if desired, be substituted for the plate fixed on the back of the motor-vehicle.

PART III.

Licensing of Drivers.

11. The District Magistrate shall be the authority to grant license under section 6 of the Regulation to drive a motor-vehicle.

11-A. The District Magistrate may require any applicant for [illegible] examination in driving for [illegible] ble by the applicant.

If the District Magistrate is not satisfied upon such examination or on other grounds, that the applicant is a fit person to drive a motor-vehicle, he may refuse to grant a license.

(B).—A person desirous of qualifying for the license mentioned is Rules 11 and 11-A may obtain a temporary permit on payment of rupee one only from the aforesaid authority valid for two months from the date of issue thereof On or before the expiry of such permit the holder thereof. may appear before the aforesaid authority and if he satisfies the aforesaid authority that he is a fit person to drive a Motor Vehicle, a license to drive shall be issued to him.

12 Every license to drive a motor-vehicle granted under section 6 of the Regulation shall remain in force for such period, not being less than 12 months, as the licensing authority may direct.

13. There shall be payable for every license a fee of Rs 2 per annum.

14. Every license shall be in the form given in Schedule V annexed to these rules and shall have, attached to it, a copy of the Regulation and of these rules.

14-A.—Every person holding a valid license to drive, a motor-vehicle granted within the marginally noted territories and places in accordance with the provisions of the law and rules relating to the licensing of drivers in force therein shall be deemed to be duly licensed within the meaning of Section 6 of the Jammu and Kashmir State Motor Vehicles Regulation No. 1 of 1975.

1 Territories under the Government of

vince and

2 The cantonment of Seconderabad the Hyderabad Residency Bazar and Railway lands of Hyderabad

PART IV

GENERAL

Regulation of traffic

15 The person in charge of a motor-vehicle shall obey all directions and signals of police officers stationed at crossings or other places for the regulation of traffic

Motor-vehicle to carry horns

16. Every person driving a motor-vehicle shall have ready and available, for immediate use a suitable horn or in the case of a motor-bicycle a suitable horn or bell capable of giving audible and sufficient warning of his approach or position and shall sound the same whenever expedient to prevent danger to any of the public.

Lights

17. No person shall drive a motor vehicle at night without 2 lighted lamps of suitable character and illumination affixed thereto, one on either side of the front portion of the vehicle.

Provided that in the case of a motor-bicycle without a side-car one lamp shall be sufficient.

17.-A.—No person holding a temporary permit under Rule 11-B shall drive a motor-vehicle unless there is beside him in such vehicle a person duly licensed under Rule 11. In case of accident or any contravention of any of the provisions of the Regulation or of these Rules the latter shall be responsible as if he were personally driving the Motor vehicle at the time of such accident or contravention

17.—B.—No person holding temporary permit under Rule 11 B shall drive a motor vehicle within the Municipal limits of any town or in a crowded place or at a place where such driving is prohibited by order of the District Magistrate

Motor competition or reliability trial.

18. No motor competition, reliability trial, display or exhibition, in which more than five motor-vehicles take part, shall be permitted on any public road without the previous sanction of His Highness.

Driving on the right side of the road.

19. A. motor-vehicle shall be driven in accordance with the rules of the road which require a vehicle to keep on the left of the road except when passing other-vehiles, animals and other objects going in the same direction which should be passed on the right.

PART V.

Special rules relating to certain localities.

Speed limit

20. No motor-vehicle shall be driven within the limits of the Municipalities of Srinagar and Jammu or within the limits of cantonments at a greater speed than 15 miles an hour.

Speed over bridges and culverts, through inhabited areas, and when passing a vehicle or some other object, shall not exceed 10 miles an hour.

21. Acetylene gase lamps, or lamps of any description giving a powerful or intense light, shall be adequately hooded or screened.

Explanation: No lamp shall be considered to be adequarely hooded or screened if, when th motor vehicle is standing on a level road, it casts briliant rays of light above a horizontal line three feet from the ground.

PART VI

ROADS

Kohala—Baramula—Srinagar Road the road between Singhpura turning and Tangmarg, and Jammu—Banihal—Khannabal—Srinagar Road.

Night travelling.

22. No motor-vehicle shall travel by night on the Jhelum Valley Road, Jammu, Banihal, Khannabal-Srinagar Road or any other road on which night travelling has been prohibited either by notification in the State Gazette to that effect or by the erection of notice-boards containing the prohibition at either end of the road.

Exception. 1—Letter mail cars may however travel by night, when the road is in a bad state, in order to make up time but not otherwise, and any vehicle, so running by night, shall be equipped with safficient hooded head and tail lights.

Exception. 2.—Should a motor vehicle break down on any road on which night travelling is prohibited, the driver, if unable to accomplish his journey before night-fall may proceed after executing the necessary repairs, but shall halt at the first police station he comes to after dark, and there give his name and number of his car and a statement of the reasons why he is travelling at that hour, and shall drive with great caution.

Rule to the road

3. Motor-vehicles travelling on roads enumerated in rule 22 shall, ordinarily pass other vehicles on the left when meeting them, and on the right when overtaking them, but they shall, where practicable, pass on the outside of the road all animals, ridden or driven, which are nervous or restive in whichever direction such animals may be proceeding.

Space to be allowed.

24 The driver of a motor-vehicle travelling on the abovementioned roads shall, in passing animals. allow as much space as the width of the road permits

25. No. motor-vehicle shall be let or plied for hire on the Jhelum Valley Road and Jammu Banibal Khanabal Srinagar Road unless it is granted a special road certificate each year for this purpose by the District Magistrate of Srinagar or Jammu as the case may be:

Provided that in the case of a motor-vehicle to which rule 28 [illegible] cate shall be granted unless the [illegible] prduces the permit mentioned [illegible]

26. Before granting a road certificate to such a vehicle the District Magistrate shall be satisfied :—

(*a*) That it is provided with two indepeedent brakes or other means of stoppage in good working

order and of such efficiency that application of either is capable of promptly stopping the motor-vehicle, whether going forwards or backwards.

(b) That except in the case of a heavy motor-vehicle as defined in the heavy Motor-Vehicles Rules, it is provided with pneumatic tyres or tyres of a soft or elastic material, and its greatest breadth does not exceed six feet six inches.

(c) That in the case of a Motor Lorry it is not fitted with double tyres.

(d) That it is provided with a mirror so fitted as to enable the driver to see the road behind.

(e) That it has been granted a certificate of fitness signed by the motor Inspector, Jhelum Valley Road.

26-A. No Motor Lorry which is fitted with duoble tyres shall ply on the Jhelum Valley Road on and after the first day of Baisakh 1982.

27 On every motor-vehicle to which a road certificate has been granted under these rules the owner shall cause to be affixed to some conspicuous part of the vehicle a card containing the following particulars in the English language and signed by the District Magistrate :—

(a) Registered number of the car.

(b) Owner's name and address.

(c) Date upto which the road certificate is in force.

(d) The maximum number of passengers permissible, excluding the driver.

(e) In the case of a Motor Lorry its gross weight.

28. Every motor-vehicle granted a road certificate under these rules shall be produced for examination by the District Magistrate from time to time as he may direct, and if

he is of opinion that motor-vehicle has ceased to comply with the requirements of any of these rules or that it is unserviceable or unsafe or unfit for public accommodation or use, he may, after notice to the registered owner, cancel the road certificate until such time as the defects are rectified to his satisfacation.

29. Subject to Rule 20, Part V the speed at which a Motor-vehicle of the description given in the first column is driven *shall not exceed, in the case of the roads specified* in the second column, the limit prescribed in the third column of the following table namely :—

Description of Motor Vehicle.	Road	Speed limit
1	2	3
1 All Motor Vehicles except Motor Lorries.	1 Between Baramula and Anantnag	25 miles per hour
	2 " Singapur turning and Tangmarg ..	do.
	3 " Baramulla and Kohala.	20 miles pre hour.
	4. " Jammu, Banihal and Khannabal ...	15 " "
	5. All other roads on which motor traffic is permitted ...	25 " "
2 Motor Loiries	1 Between Baramulla and Anantnag,	16 " "
	2. " Singapur turning and Tangmarg ..	15 " "
	3 " Baramulla and Kohala ..	12 " "
	4. " Jammu, Banihal and Khanabal ...	12 " "
	5. All other roads on which motor traffic is permitted .	15 " "

29-A. Notwithstanding anything in Rule 29 no motor-vehicle shall be driven at a greater speed on any section of the Jhelum Valley Road than the limit indicated on any sign board or notice placed or exhibited under authority of

the Divisional Engineer (Roads and Buildings) concerned in a suitable position on or near the section of the Road.

30. No motor-vehicle other than a heavy motor-vehicle, as defined in rule 1 (3) of the "Heavy Motor-Vehicle Rules" shall be driven on the Jhelum Valley Road and Jammu—Banihal—Khanabal—Srinagar Road if it is so loaded that the maximum breadth of the vehicle and the luggage on it shall exceed the limit of six feet six inches laid down in rule 26 (*b*).

31. No driver shall drive a motor which is let or plied for hire on the Jhelum Valley Road and Jammu—Banihal—Khanabal—Srinagar Road unless he is specially licensed for that purpose by the District Magistrate, Srinagar or Jammu as the case may be

32 The District Magistrate may refuse to grant a license to drive under rule 31 to any person who does not prove to his satisfaction that he is competent to drive a car with safety on a hill road or who is shown to his satisfaction to be guilty of rash or negligent driving.

33. A breach of rules 25, 26-A, 27, 29, 30 or 31 will be punishable under section 16 of the Jammu and Kashmir State Motor-Vehicles Regulation, 1975.

34. The following fees in addition to any fees payable under Jammu and Kashmir State Motor-Vehicles Regulation and the other rules thereunder are payable—

(1) For a road certificate for a motor-vehicle a fee of Rs. 5. per annum from the first of Baishakh in each year.

(2) For a license to drive under these rules a fee of Rs. 5. per annum form the first of Baisakh in each year, provided that only half fees shall be charged for a license or road certificate granted after Katik first in any year under these rules.

35. The District Magistrate, Srinagar or Jammu, as the case may be may, from time to time, subject to the pre-

vious sanction of the Durbar, fix maximum rates of hire for passengers and luggage or goods, the maximum number of passengers and the maximum quantity of luggage or goods which may be carried on any Motor-Vehicle.

Provided that an infant in arm who is carried free will not be counted as a passenger and a child under the age of 12 years will be considered as half passenger for the purpose of this rule.

NOTE.

A driver was challaned under section 16 of Motor-Vehicles Regulation for carrying 19 men inside and 4 men on foot board, in his lorry pased for 15 men, and on his admission, that he was carrying 16 men inside and 4 on foot-board, was convicted and fined Rs 50 by the A D. Magistrate. The High Court held that there is nothing in the Motor Vehicles Regulation to authorise the limiting of the number of passengers to be carried by a motor-vehicle and aquitted the accused—State. Vs. Fazal Karim son of Maula Bakhsh, Rajput of Sialkot, Summary File No. 76, decided by A. D. M. on 14-7-1985 and by the High Court on 7-9-1985:

36. Every holder of a road certificate shall deposit with the District Magistrate the sum of Rs. 100 in respect of each car certificated subject to a maximum of Rs. 500 from any one owner or Company by way of security of the due observance of the rules prescribed for each car. The deposit will be refunded to the owner on the expiry of his license and on his making application for refund to the District Magistrate

37. The Durbar may, by notification published in the State Gazette, prohibit the letting or plying on hire of any motor-vehicle within any area or along any road except under a permit granted by them or under their authority by the district Magistrate subject to such general or special conditions as the Durbar may see fit to impose.

38. No Motor-Vehicle having a carrying capacity exceeding one ton, shall ply on the Jammu-Valley Road and Jammu-Banihal, Khanabal-Srinagar Road except under a

permit granted by the Durbar subject to such conditions, not provided for by the rules, as they may see fit to impose.

39. " Person suffering from or dying of an infectious or contagious disease should not be carried in a vehicle in which other passengers or goods are being, at the same time, carried. Further, a vehicle which is specially engaged for conveyance of persons suffering from, or dying of infectious or contagious diseases should be thoroughly disinfected after completion of each such journey and before it is again put to use for ordinary conveyance"

NOTE.—This rule was sanctioned by the Cabinet, under No. 2145, dated 15th January, 1931.

SCHEDULE 1.

Register of Motor-Vehicles.

1	2	3	4		6	7	8	9	10	11	12	13	14	15			18	19
Index mark and number on identification plate	Full name of owner, or if official property, quote the Government Department concerned.	Profession or calling of owner in case of privately-owned car	Postal address.	Type of motor-vehicle (whether touring car, motor-van, motor cycles, steam lorry, etc.)	Horse power and number of cylinders.	Maker's name.	Weight (unladen) of vehicle.	Year of manufacture (if known).	Colour of body of car	Engine number	Chassis number (for cars only)	If motor-cycle, whether fitted with side-car.	Seating-capacity (for cars only)	If a light motor-van or light-lorry, carrying capacity in weight and			If registration is cancelled, date of cancellation.	REMARKS.

SCHEDULE II.

PARTICULARS TO BE GIVEN BY APPLICANT FOR REGISTRATION OF A MOTOR-VEHICLE.

1 Full name of owner, or if official property, quote the Government Department concerned.

2. Profession or calling of owner in case of privateley owned car.

3 Postal address (permanent transfers from one station to another necessitaing changes in postal address, must be notified to the District Magistrate within ten days)

4. Type of motor-vehicle (whether touring car, motor-van motor-cycle, steam-lorry etc)

5. Horse-power and number of cyclinders.

6 Maker's name

7. Weight (unladen) of vehicle

8 Year of manufacture if known.

9. Colour of body of car

10. Engine number

11 Chassis (number for cars only)

12. If motor-cycle, whether fitted with side-car.

13. Seating capacity (for cars only).

14. If light motor-van or light-lorry (*i. e.* less than two tons in weight unladen) carrying capacity in weight and numbers.

15 Whether vehicle has been previously registered, if so, previous number of registration.

16. Whorther intended for (a) private use, (b) use for trade purposes, or (c) use as a public conveyance

Place Signature of applicant

Date Srinagar.
The register number of the above vehicle is No. J.&.K.-- Jammu.

Dated DISTRICT MAGISTRATE.

Note :—If the vehicle has not already been registered registration fee should be forwarded to the District Magistrate

SCHEDULE III.

Certified that——————Engine number——— Chassis number———in the ownership of———weighing unladen has been registered by me as No. Jammu and Kashmir this date of ———19 .

This certificate of registration is valid throughout the Jammu and Kashmir State.

DISTRICT MAGISTRATE.

N.B.—The following information must be communicated to the District Magistrate without fail :—

(a) Notice within ten days of all changes in ownership by both the new and old-owners.

(b) Notice within ten days of all permanent transfers from one station to another necessitating changes in postal address of the owner.

SCHEDULE IV.

Identification plate.

Provisions to be complied with :—

1. Each plate must be rectangular and bear upon it

the distinguishing letters J & K. and the separate number assigned to the motor-vehicle by the District Magistrate in conformity with the arrangement of letters and figures shown on the diagram below—

J & K. ..... 304.

2. The ground of the plate must be black, the letters and figures must be white.

3 All letters and figures must be 3½ inches high every part of every letter and figure must be ⅝ of an inch broad and the total width of the space taken by every letter or figure, except in the case of figure 1, must be 2½ inches.

4. The space between adjoining figures must be half an inch, and there must be a margin between the nearest part of any letter or figure and the top and bottom of the plate of at least half an inch and between the nearest part of any letter or figure and the side of the plate of at least one inch. The space between the letters J & K. and the figures must be 1½ inches.

5. In the case of motor-cycles, each of the dimensions mentioned above may be halved.

SCHEDULE V.

Form of license.

Fee Rupees two (Rs. 2) only per annum.

No. of 19

License to drive a motor-vehicle granted under section 6 of the Motor-Vehicles Regulation 1975.

(Name*) ______________________

(Address) ______________________

is hereby licensed to drive a motor-vehicle for ——— from *this date* ______________

Dated ______________________ 19

(Signature)———

District Magsitrate

* In the case of Indians the father's name and caste or tribe ... be added.

"B"

HEAVY MOTOR-VEHICLE RULES.

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1. These Rules may be called the heavy Motor Vehicle Rules.

(a) They extend to the whole of the Jammu and Kashmir State.

(b) In these rules :—

(1) "*Registering authority*" and '*Licensing authority*' means the District Magistrate of any province in which the motor-vehicle is used ;

(2) "*The Regulation*" means the "Jammu and Kashmir State Motor-Vehicles Regulation 1975"

(3) "*Heavy motor-vehicle*" means a motor-vehicle exceeding two tons in weight, unladen ;

(4) "*Trailer*" means any vehicle drawn by or attached to a motor-vehicle ;

(5) "*Axle-weight*" means, in relation to an axle of a heavy motor-vehicle, the aggregate weight transmitted to the surface of the road or other base whereon the heavy motor-vehicle moves or rests by the several wheels attached to that axle when the heavy motor-vehicle is loaded ;

(6) "*Registered axle-weight*" means, in relation to an axle of a heavy motor-vehicle, the axle-weight of that axle as registered by the licensing authorities in pursuance of the rule ;

(7) "*Weight*", in relation to a heavy motor-vehicle when unladen, means the weight of the vehicle exclusive of the weight of any water, fuel or

accumulators used for the purpose of propulsion ;

(8) "*Width*" in relation to the tyre of a wheel, means the distance measured horizontally and in a straight line across the circumference of the wheel and between the two points in the outer surface of the tyre which are farthest apart ;

(9) "*Diameter*" in relation to a wheel, means the diameter measured between the opposite points in the outer surface of the tyre which are farthest apart

Registration.

2. (1) No heavy motor-vehicle shall be used unless it has been first registered by the registering authority·

Provided that no person shall be liable for a breach of this rule if he has had no reasonable opportunity of registering the heavy-motor vehicle in accordance therewith:

Provided, also, that it shall not be necessary to register under this rule heavy motor-vehicles which have already been registered under the motor-vehicles Regulation 1966.

(2) The fee for registration shall be thirty-two rupees for each heavy motor-vehicle.

Number, transfer of ownership, &c.

3. (1) The registering authority shall assign a distinguishing number to the heavy motor-vehicle, and shall record the name and address of the owner.

(2) The number assigned to a heavy motor-vehicle along with the name of the province in which it is registered shall be shown in white on a black ground.

(3) The numbers shall be of the following dimensions painted on a plate which shall be rigidly affixed in a conspicuous place on the front and back of the heavy motor-vehicle and on the back of any vehicle drawn by the heavy motor-vehicle.

Height of each figure 3½ inches, uniform thickness ⅝ inch, each figure occupying a space of 2¼ inches with 1 inch between each figure and a margin of ½ inch at the top, bottom and sides of the plate.

(4) No number shall in any way be obscured, or rendered, or allowed to become, not easily discernible at a reasonable distance.

(5) Every transfer of ownership shall forthwith be intimated to the registering authority by the registred owner, and for every such transfer the registered owner shall pay a fee of one rupee.

Requirements before registration

4. (1) Before registoring a heavy motor-vehicle the registering authority shall be satisfied :—

(a) that it is provided with two independent brakes or other means of stoppage in good working order and of such efficiency that the application of either is capable of promptly stopping the heavy motor-vehicle whether going forwards or backwards.

(b) if such heavy motor-vehicle is propelled by steam that—

(i) It is so constructed as to consume its own smoke as far as practicable.

(ii) it is fitted with an efficient "spark-arrester;"

(c) if such heavy motor-vehicle is propelled otherwise than by steam that it is so used that no smoke or

visible vapour is emitted therefrom except from any temporary or accidental cause.

(2) Before registering a heavy motor-vehicle the registering authority shall also satisfy himself that the tyres of the wheels of the vehicle, if the tyres are not pneumatic or are not made of a soft or elastic material, or of the dimensions required by rule 15, and may also have the weight of the heavy motor-vehicle and if he thinks necessary the axle-weight of each wheel ascertained in such manner as he may by general or special order direct

5. On the registration of a heavy motor-vehicle, the registering authority shall give the owner a certificate of registration in the form set out in Schedule D of these rules.

Subsequent defects

6 Where the registering authority at any time after a heavy motor-vehicle has been registered, considers, on the report of a Superintendent of Police or otherwise, that it has ceased to comply with the requirements of any of these rules, or that it has not been maintained in such a condition as to prevent danger to the public, such registering authority may, after notice to the registered owner, direct that the registration be cancelled until such time as the defects are rectified to its satisfaction.

Driving on the right side of the road.

7. A heavy motor-vehicle shall be driven in accordance with the rules of the road which require a vehicle to keep on the left of the road except when passing horses and other vehicles going in the same direction which s ould be passed on the right but when a heavy motor-vehicle is travelling on the hill road it shall, when practicable, pass on the outside of the road all animals ridden or driven which, are nervous or restive, in whichever direction such animals may be proceeding.

8. The speed at which a heavy motor-vehicle is driven on any public road shall not exceed 7 miles an hour provided that if the heavy motor-vehicle has all its wheels fitted

with pneumatic tyres or with tyres of a soft or elastic material, the maximum speed limit shall be 10 miles an hour.

9 No person shall drive a heavy motor-vehicle—
Maintenance.

(a) unless it is at all times under full control so as to prevent undue interference with passenger or other traffic, and unless it is maintained in such a condition as to prevent danger to the public;

(b) if such heavy motor-vehicle is propelled by steam unless—

(i) it is so constructed as to consume its own smoke as far as practicable,

(ii) it is fitted with efficient "spark-arresters",

(c) if such heavy motor-vehicle is propelled otherwise than by steam, unless it is so used that no smoke or visible vapour is emitted therefrom except from any temporary or accidental cause.

10. No heavy motor-vehicle shall be allowed to stand in any street or public place unattended by a person licensed under section 6 of the Regulation, unless all reasonable precautions have been taken to ensure that it cannot be put in motion in the absence of the driver, or, if such heavy motor-vehicle is propelled by steam, unless its fires have been extinguished and it has ceased to contain in itself sufficient power to move.

11. The driver of a heavy motor-vehicle shall not cause the vehicle to travel backwards for a greater distance or time than may be requisite for purposes of safety, or in order to turn round.

12. On every application to a registering authority for the registration of a heavy motor-vehicle and for permission to ply for hire, the applicant shall declare:—
Registration of weight

(a) The weight of the heavy motor-vehicle unladen,

(b) The axle-weight of each axle;

(c) The diameter of each wheel.

13. Upon receiving from the registering authority a copy of the entries made in the register relating to a heavy motor-vehicle the owner of the heavy motor-vehicle shall cause :—

Registered weight to be printed on the vehicle

(a) the registered weight of the heavy motor-vehicle unladen, and

(b) the registered exle-weight of each axle to be printed or otherwise plainly marked in letters not less thar [illegible] anner as to be [illegible] such conspicu [illegible] every heavy motor-vehicle

14. (i) The axle-weight of an axle of a heavy motor-vehicle shall not exceed the registered axle-weight

(ii) The registered maximum axle-weight of any axle of a heavy motor-vehicle shall not exceed three tons

(iii) The sum of the registered axle-weight of all the axles of a heavy motor-vehicle shall not exceed four tons.

15. The tyres of each wheel of a heavy motor-vehicle unless the tyres are pneumatic or made of a soft or elastic material shall be smooth, and shall, where the tyre touches the surface of the road or other base whereon the heavy motor-vehicle moves or rests, be flat, provided that the edges of the tyres may be levelled or rounded to the extent, in the case of each edge, of not more than half an inch.

Provided also that :—

(i) If the tyre is constructed of separate plat

plates may be separated by parallel spaces which shall be disposed throughout the outer surface of the tyre, so that nowhere shall the aggregate extent of the space or spaces in the course of a straight line down horizontally across the circumference of the wheel exceed one-eighth part of the width of the tyre;

(*ii*) the driving wheels of a heavy motor-vehicle shall be cylindrical and smooth-soled, or shod with diagonal cross bars of not less than three inches in width, not more than three quarters of an inch in thickness, extending the full breadth of the tyre, and the space intervening between each such cross bar shall not exceed three inches.

Width of tyre

16. (1) The width of the tyre of each wheel of a heavy motor-vehicle shall be determined by such of the following conditions as may apply to the circumstances of the case; that is to say :—

(*a*) The width shall in every case be not less than 5 inches.

(*b*) The width shall not be less than that number of half inches which is equal to the number of units of registered axle-weight of the axle to which the wheel is attached.

The unit of registered axle-weight shall vary according to the diameter of the wheel and the rules set forth in the subjoined scale; that is to say :—

(*i*) If the wheel is 3 feet in diameter, the unit of registered axle-weight shall be 7½ hundred-weights;

(*ii*) If the wheel exceeds 3 feet in diameter, the unit of registered axle-weight shall be 7½ cwts. with an addition of weight in the proportion of one hundred-weight for every 12 inches by which the diameter is increased beyond 3

feet, and in the same proportion for any increase which is greater or less than 12 inches; and

(iii) If the wheel is less that 3 feet in diameter. the unit of registered axle-weight shall 7½ cwts. with a deduction of a weight in the proportion of one hundred-weight for every 6 inches by which the diameter is reduced below 3 feet; and in the same proportion for any reduction which is greater or less than 6 inches.

(2) This rule shall not apply to any tyre which is pneumatic or which is made of a soft or elastic material.

Size of wheels

17. The diameter of a wheel of a heavy motor-vehicle if the wheel is fitted with a tyre which is not pneumatic or is not made of a soft or elastic material, shall be not less than two feet.

Width & length of vehicle

18. A heavy motor-vehicle may, when measured between its extreme projecting points, be of a width not exceeding 5 feet 6 inches.

Springs

19 Every heavy motor-vehicle shall be constructed with suitable and sufficient springs between each axle and the frame of the heavy motor-vehicle.

20 No trailer shall be attached to a heavy motor-vehicle.

Use of heavy motor-vehicle on bridges

21. (i) Where the registering authority or the State Engineer or Municipal administration affixes or sets up in suitable and conspicuous positions, on each approach to as bridge forming part of a highway, notices which, as regards all their contents or subject matter, are clearly and distinctly legible and visible by persons approaching the bridge, and which state that the bridge is insufficient to carry a heavy motor-vehicle, the registered axle-weight of which exceeds that specified in the said notice board, the owner of any such heavy motor-vehicle shall not cause or suffer

the heavy motor-vehicle to be driven, and the person driving or in charge of the heavy motor-vehicle shall not drive the heavy motor-vehicle upon the bridge.

(*ii*) The owner of a heavy motor-vehicle shall not cause or suffer the heavy motor-vehicle to be driven and the person driving or in charge of the heavy motor-vehicle shall not drive the heavy motor-vehicle, upon a bridge forming part of a highway at any time when another heavy motor-vehicle or locomotive is on the bridge.

22. When a heavy motor-vehicle is used on any road or street, two persons shall be employed in driving or attending to such vehicle.

23. The cylinder taps of a heavy motor-vehicle propelled by steam shall not be opened within sight of any person riding, driving, leading or incharge of any horse, camel or any other animal upon the road or street, nor shall the steam be allowed to attain a pressure so as to exceed the limit fixed by the safety valve so that no steam shall blow off when the vehicle is upon the road or street.

24. No heavy motor-vehicle or class of a heavy motor-vehicle shall be driven in any street or road wherein such traffic may, for the time being, be prohibited by the District Magistrate.

Application for registration

25. Every application for registration shall contain the particulars specified in Schedule A.

26. Every applicant for registration of a heavy motor-vehicle shall make declaration in the form of Schedule B and append it to his applicatin for registration.

27. All notice boards posted at the sides of the roads under these rules or under section 11 of the Regulation, shall be painted red with the notices inscribed in white letters sufficiently large to be easily legible.

28. No person shall drive a heavy motor-vehicle unless

he has obtained from the licensing authority a license in the form given in Schedule C attached to these rules.

29. Every license to drive a heavy motor-vehicle shall remain in force for one year.

30 There shall be payable for every license to drive a heavy motor-vehicle a fee of Rs 2.

31. Every license to drive a heavy motor-vehicle shall have attached to it a copy of the Regulation and of these rules.

SCHEDULE A.

Application for registration (See Rule 26.)

1. Full name of owner.
2. Postal address of usual residence of owner.
3. Description or type of heavy motor-vehicle.
4. Type and colour of body of vehicle.
5. Weight unladen.
6. Axle-weight.
7. Diameter of wheels.
8. Width and material of tyres.
9. Maximum speed.
10. Number of cylinders.
11. Horse power.
12. Whether intended for :—

    (a) Private use ;

(b) Use for trade purposes;

(c) Use as a public conveyance.

SCHEDULE B.

Application for registration of heavy motor-vehicles.

(See Rule 27).

DECLARATION.

I hereby declare that the following particulars in relation to the heavy motor-vehicle, to which my application relates, are true to the best of my knowledge and belief :—

(1) Weight of my heavy motor-vehicle unladen.

(2) Axle-weights.

(3) Diameter of each wheel.

SCHEDULE. C.

No. of 19 .

License to drive a heavy motor-vehicle granted under section 6 of the Jammu and Kashmir State Motor-vehicles Regulation 1975.

Fee Rupees two (Rs. 2)

(Name)*______________________________

*(Address)*______________________________

is hereby licensed to drive a heavy motor-vehicle for the

period of one year from this date.

Date 19 (*Signature*)________

DISTRICT MAGISTRATE

**In the case of Indians, the father's name and caste or tribe should be given.*

SCHEDULE D.

Certified that (description of heavy motor-vehicle) in the ownership of (name and address of owner), weighing unladen has been registered by me as (Index mark and number of identification plate) this__________day of

__________19 .

"C"

Special Motor-Vehicle Rules.

1 These rules may be called the Motor-Vehicles (Special) Rules.

2. In these rules "Magistrate" means the District Magistrate.

3. No Motor-vehicle owned by a person ordinarily residing outside the State, which is not duly registered under the said Regulation, shall be used or driven by any person in the State unless such motor-vehicle bears such mark of identification as may be prescribed by rules of the territory in which the owner thereof ordinarily resides.

4. (1) Where any such motor-vehicle is kept in the State for a period exceeding 30 days at any one time, no person shall use or drive the same unless authorized to do so under a permit issued in this behalf by the Magistrate.

(2) The owner or person in charge may apply to the Magistrate for a permit under these rules and shall furnish him with the description of the motor-vehicle and such other particulars as may be required by the said Magistrate.

3. The Magistrate may thereupon issue to the applicant in such form and for such period as the such Magistrate may deem expedient, a permit to use the said vehicle in the State.

4. The Magistrate may from time to time extend the period of any such permit, or, for reasons to be recorded, cancel the same.

5. Nothing in these rules shall apply to the Governor-General of India or to the Governors of Provincial Adminstration of British India or to Rulers of Native States or to motor-vehicles owned by any of the foregoing.

"D"

Reciprocity.

The rules set out in parts A, B and C shall be worked subject to and in harmony with the terms of the reciprocity to be established between the British India Government and the State in matter of motor traffic.

"E"

General.

In matters on which the rules in parts B, C and D are silent the rules regulating the traffic of motor-vehicles in part A shall apply to all other motor-vehicles to the extent to which they are not inconsistent with rules specially applicable to any particular Motor-vehicle.

BOOK III

CHAPTER I

BENGAL MOTOR VEHICLES RULES.

Rules, made in exercise of the power conferred under Section 11 of the Indian Motor Vehicles Act (VIII of 1914) by the Governor-in-Council of Bengal Presidency for regulating the use of Motor Vehicles in the Bengal Presidency other than in Calcutta (including suburbs) and the Municipality of Howrah, as embodied in the Bengal Government's Notification, No. 12667P. of the 3rd October 1917, and corrected upto 1928.

PART I. PRELIMINARY.

1. **Definitions.**—In these rules—

(1) "motor-car" includes all motor vehicles other than motor-cycles, road-rollers and vehicles which run on rails;

(2) "heavy motor-car" means a motor-car exceeding two tons in weight when unladen;

(3) "light motor-car" means a motor-car not exceeding two tons in weight when unladen;

(4) "motor-cycle" means a motor vehicle, running on not more than three wheels, and weighing not more than three hundred-weights;

(5) "trailer" means a vehicle drawn by a heavy motor-car;

(6) "axle-weight" means, in relation to an axle of a heavy motor-car or a trailer, the aggregate weight transmitted to the surface of the road or other base whereon the heavy motor-car trailer moves or rests by the several wheels attached to that axle when the car or trailer is laden;

(7) "registered axle-weight" means the axle-weight of the axle of a heavy motor-car as registered by the Commissioner in pursuance of the rules contained in Part III of these rules;

(8) the expression "weight," when used in relation to a heavy motor-car or a trailer, means—

(a) when the car or trailer is unladen, the weight of the vehicle, including all parts, equipments, stores fuel, water and accumulators which are n......

for, or are ordinarily used with, the car or trailer when working:

Provided that, where alternative parts or bodies are used, the heaviest shall be taken for the purpose of calculating the weight; and

(b) when the car or trailer is laden, its weight, when unladen, *plus* its full lawful load, including the weight of the driver;

(9) the expression "width," when used in relation to the tyre of a wheel of a heavy motor-car, means the distance measured horizontally and in a straight line across the rim of the wheel and between the two points in the outer surface of the tyre which are farthest apart;

(10) the expression "diameter," when used in relation to a wheel of a heavy motor-car, means the diameter measured between the two opposite points in the outer surface of the tyre which are farthest apart;

(11) "Commissioner" means the Commissioner of Police for Calcutta; and

(12) Magistrate of the district" and "District Magistrate" include a sub-divisional Magistrate who may be specially authorized by Government to exercise the powers of a "District Magistrate" under these rules.

PART II. ALL MOTOR VEHICLES.

2 Registration.—(1) No persons shall drive, or have charge of, or use or cause or permit to be used, any motor vehicle, unless it is registered by the Commissioner in accordance with the provisions of these rules in a register kept in a form prescribed by him:

Provided that for the purposes of these rules—

(a) every motor vehicle which is in use on the 3rd October 1917 and which was registered under the rule previously in force under the Bengal Motor *car and Cycle Act*, 1903, *or under* any rules in force in Calcutta and Howrah, or under any rules inforce in any province other than Bengal and made under any local Act; and

(b) every motor vehicle registered in any part of British India other than Bengal under rules, framed under the Indian Motor Vehicles Act, 1914.

shall be deemed to have been registered under these rules.

(2) Every application for registration of a motor vehicle under sub-rule (1) of this rule shall be in such form, and shall contain such particulars as the Commissioner may from time to time prescribe, and shall be made to the Magistrate of the district in which the car is to be used.

(3) The fee for registration shall be Rs. 32 for heavy motor-car, Rs. 16 for a light motor-car, and Rs. 4 for a motor-cycle

(4) The registration of all motor vehicles, other than private motor-cars and motor-cycles, shall remain in force for twelve months from the date of registration and shall be subject to annual renewal. If renewal is effected before the date of expiry of the registration, half the initial fee for registration shall be charged . if not, the full fee for registration shall be charged. Duplicate registration certificates shall be charged for at the rate of rupees two each.

(5) When a motor vehicle is transferred from one class to another or changes ownership, it shall be registered afresh, the previous registration certificate being surrendered to the Magistrate of the district. The fee for such registration shall be Rs. 2. Duplicate registration certificates shall be charged for at the rate of rupees two each.

(6) On the registration of each motor vehicle, a certifidates of registration in respect thereof shall be granted by the Commissioner. The Commissioner shall also forward a copy of each entry in the register to the Magistrate of the district concerned.

3 **Compliance with rules a condition precedent to registration.**—The Commissioner shall not register any motor vehicle unless he is satisfied on the report of the District Magistratee that the requirements of these rules in respect thereof have been duly complied with.

4. During a period of one month from the 3rd October 1917, any failure to comply with these rules, so far as they relate to the construction or use of heavy motor-cars or trailers, shall not be deemed to be a breach or contravention of the rules, if the failure occurs solely in relation to a car, registered before, or to a trailer which is in use on, the 3rd October 1917.

5. Temporary cancellation of registration.—Notwithstanding anything contained in these rules, if the Commissioner or the District Magistrate, at any time after a motor vehicle has been registered, has reason to believe that it has ceased in any respect to conform to these rules, or that it is not maintained in such a condition as to be free from danger to the public, he may, after notice to the owner, direct that the registration be cancelled until the defects are remedied to his satisfaction. Every such order and every rescission of such order, passed by a District Magistrate, shall be reported to the Commissioner.

6. Report of change of address by registered owner.—Whenever the registered owner of a motor vehicle changes his address, he shall report the new address to the Commissioner through the District Magistrate.

7. Every transfer of ownership and every transfer of possession, whether temporary or otherwise, of a motor vehicle, registered under these rules, shall forthwith be reported to the Commissioner through the District Magistrate, both by the registered owner and by the transferee.

7-A. Whenever a motor vehicle is altered in respect of any of the particulars prescribed by the Commissioner, under rule 2, sub-rule (2), such alteration shall forthwith be notified to the Commissioner, through the District Magistrate, by the owner.

8. Marking and Lettering.—(1) The Commissioner shall assign a distinguishing number to every motor vehicle registered under these rules, and shall record the name and address of the owner,—

Provided that a general number may, on payment of an annual fee not exceeding Rs. 32, be assigned to all or any motor vehicle for the time being in the possession of any manufacturer thereof and dealer therein, to be affixed to any such vehicle when on its way to be registered, or when on trial after completion, or when on trial by an intending purchaser, or when being used by a person licensed under rule 15 for the purpose of instructing any other person in the use of the vehicle.

(2) When a general number has been assigned under the proviso to sub-rule (1) of this rule, manufacturer or

dealer aforesaid shall also distinctively mark every vehicle covered by the general number by an additional letter or letters.

(3) Every such manufacturer or dealer shall maintain a register containing the following particulars with respect to every motor vehicle so numbered and marked which leaves his premises, namely—

(*a*) the date and time when the vehicle goes out;

(*b*) the name of the person in charge thereof;

(*c*) the purpose for which the vehicle is sent out;

(*d*) the date and time of the return of the vehicle to the premises; and

(*e*) the distinguishing number and letter or letters affixed to the vehicle

9. Numbers and letters how to be attached, illuminated and maintained—(1) No motor vehicle shall be used, unless the number assigned to it under sub-rule (1) of rule 8, and the letter or letters (if any) required by sub-rule (2) of that rule, be attached in a conspicuous place in large white figures on a black ground legible at a reasonable distance on its front and back and on the back of any vehicle drawn by it

(2) The said numbers and letters shall be, in the case of a motor-car, at least 3½ inches high and, in the case of a motor-cycle, at least 1¾ inches high, and shall be at least ⅝ths of an inch broad in every part.

(3) The space taken up by each figure contained in such number except the figure 1 and by each such letter shall be at least 2½ inches, and the space between adjoining figures shall be at least half an inch.

(4) The said numbers and letters shall have a margin of half an inch both above and below them, and a margin of one inch on either side

(5) On a motor-cycle the front number and letter or letters may be shown on each side of a plate projecting forward.

(6) During the time when lamps are required by rule 13 to be kept lit, the number and letter or letters at the back of a motor-car, or of vehicle drawn behind a motor-car or motor-cycle, and the number in front of a motor- shall be illuminated so as to be legible at a reasonable di

(7) The number-plates for day use and those for night use need not be the same.

(8) The numbers and letters referred to in this rule shall not be in any way obscured or rendered or allowed to become not easily distinguishable,

10. Construction and maintenance.—No motor vehicle shall be used, unless it is—

(a) so constructed as to admit of its being at all times under full control so as to prevent undue interference with passenger or other traffic, and

(b) maintained in such a condition as to prevent danger to the public or to any person riding in or on the vehicle.

11 Width of a motor vehicle or trailer—The width of motor vehicle or trailer as measured between its extreme projecting points, shall not exceed seven feet six inchs.

12. Breaks.—No motor vehicle shall be used unless it is provided with two independent brakes or other means of stoppage, in good working order, and of such efficiency that the application of either will be capable of forthwith stopping the vehicle.

Provided that one such brake shall suffice for a heavy motor-car propelled by steam.

13 Lights.—(1) To every motor-car when in use at night shall be affixed two lamps, one on either side, each exhibiting a white light visible to a reasonable distance forward and a red light visible to a reasonable distance in the reverse direction. If the two lamps do not exhibit a red light as above, there shall be attached to the back of the car one lamp showing a red light visible to a reasonable distance behind.

(2) To every motor-cycle when in use at night, shall be attached a lamp throwing a white light to a reasonable distance forward.

(3) To every vehicle attached to a motor-cycle, when in use at night, shall be affixed.—

(a) if the vehicle is drawn behind a motor-cycle, the lamps specified for motor-cars in sub-rule (1).

(b) if the vehicle is attached in front of a motor-cycle

two lamps, one on either side, each exhibiting a white light visible to a reasonable distance forward and a red light visible to a reasonable distance in reverse direction; or,

(c) if the vehicle is attached to the side of a motor-cycle, one lamp on the side of the vehicle furthest from the motor-cycle, exhibiting a white light visible to a reasonable distance forward and a red light visible to a reasonable distance in the reverse direction.

(4) No head-lights, other than head-lights lit by oil or candle, shall be attached to, or carried on, any motor-car, unless such head-lights are effectively hooded or screened.

(4) So long as a motor-car or motor-cycle is in use during the period between half an hour after sunset and half an hour before sunrise, all lamps shall be kept lit and free from obstructions.

14 Bell or horn—Every motor vehicle shall carry a horn or other instrument capable of giving audible and sufficient warning of the approach or position of the vehicle and the driver shall sound such instrument whenever it may be necessary to do so:

Provided that the District Magistrate may interdict after such examination and inquiry as is found necessary the use in any municipal or suburban area of such types of horns, sirens, whistles or similar appliances on motor vehicles as are likely to constitute a public nuisance.

15. Driver's license.—(1) No persons shall drive a motor-vehicle, unless he holds a license in force for the time being; and no person shall employ any one to drive a motor vehicle, who does not hold such a license.

(2) The District Magistrate may grant a license to any one applying for the same on his being satisfied as to the capability of the applicant to drive a motor vehicle.

(3) Every license so granted shall remain in force for a period of twelve months from the date of the issue thereof:

Provided that if a licensee is desirous of renewing a license granted to him, and makes an application to the District Magistrate in this behalf on or before the date of the expiry of the license, the District Magistrate may renew the

license, and the license so renewed shall continue in force for a further period of twelve months from the date on which it would otherwise have expired.

(4) If no such application is made within the time prescribed the person shall, if he desires to possess a license be required to take out a new license under sub-rule (1) and be liable to pay the full fee for such license He shall also be liable, in the discretion of the District Magistrate, to pass a test for driving, for which a fee of Rs. 2 shall be charged.

(5) There shall be payable for every license granted under this rule a fee of Rs. 10 in respect of a motor-car and Rs. 4 in respect of a motor-cycle. Every license shall be subject to annual renewal, and if the renewal is effected on or before the date of expiry of the license, a fee of Rs. 2 for a private license and Rs 4 for a professional license shall be charged; if the renewal is effected after the date of expiry the full fee shall be charged. Duplicates of licenses shall be charged for at the rate of half the initial fee for such licenses. Professional drivers shall appear in person for the renewal of their licenses. *If a license is suspended or cancelled*, the holder shall surrender it immediately to the Magistrate of the district.

(6) There shall be separate licenses for professional drivers bearing the photographs of those drivers, and such details as the District Magistrate may from time to time require to be supplied to him.

16. Speed—No motor vehicle shall be given to be driven at a greater speed than—

(1) fifteen miles an hour within any municipal area, if a light motor-car or motor-cycle;

(2) ten miles an hour if a heavy motor-car and eight, miles an hour, if the axle-weight of any axle of the heavy motor-car exceeds six tons, or if it draws a trailer.

The provisions of this rule shall not apply to such motor vehicles as may be specially exempted by the Local Government in this behalf.

17. Emission of smoke or vapour from motor vehicle—No person shall cause or permit the emission of smoke or visible vapour from a motor vehicle in such quantity as to cause annoyance or danger to the public.

18. Rule of the road.—The driver of a motor vehicle shall keep on the left side of the road:

Provided as follows:—

(*a*) he shall keep to the right of any vehicle or animal proceeding in the same direction which he desires to pass: and

(*b*) he may pass any tram car or other vehicle, running on fixed rails, on whichever side thereof he may consider necessary or expendient, having due regard to the circumstances of the case and to the safety and convenience of other users of the road.

19. Prohibition of driving in public places.—No motor vehicle shall be driven on any road street or other public place, where the use of such vehicles is prohibited—

(*a*) in the case of roads, streets and other public places vested in, or under the control and administration of, the Municipal Commissioners of any Municipality, or any District Board, by the Municipal Commissioners or the District Board concerned, or

(*b*) in the case of roads, streets and other public places vested in, or under the control and administration of the Public Works Department, whether within or outside Municipal or District Board areas, by that department.

20. Stopping when accident occurs—On the occurrence of an accident such as is referred to in clause (*c*) of section 4 of the Indian Motor Vehicles Act, 1914, the person incharge of the motor vehicle, on the request of a police officer in uniform or of any other person, shall give all possible assistance to any person injured by any such accident and shall, if necessary, help in conveying him to a hospital.

21. Leaving motor vehicle unattended in street or other public place—No motor vehicles shall be allowed to stand in any street or other public place, unless it is attended by a person holding a license in force for the time being granted under rule 15, except when the mechanism of such vehicle has been stopped.

22. Learning to drive—No person shall, in any street or other public place, learn to drive a motor car [illegible] accompanied by a person holding a license in force for t[illegible] time being granted under rule 15,

PART III-HEAVY MOTOR-CARS.

23. Additional rules as to registration of heavy motor-cars

(1) For the purpose of the registration of heavy motor-cars

(a) the register of motor vehicles, prescribed by rule 2, sub-rule (1), shall contain a separate part, and all heavy motor-cars shall be registered in such part which shall be in such form as may be prescribed by the Commissioner; and

(b) the application referred to in rule 2, sub-rule (2), shall contain a true declaration to be made by the applicant of—

(i) the weight of the car when unladen.

(ii) the axle-weight of each axle.

(iii) the diameter of each wheel and

(iv) the width and material of the tyre of each wheel.

(2) The declaration referred to in clause (b) of sub-rule (1) of this rule shall be made in the form prescribed by the Commissioner.

(3) The Commissioner of Police, on the report of the District Magistrate or on other credible grounds for doubting the truth of the declaration made under clause (b) of sub-rule (1), may require that any car be produced, before registration or renewal of registration, before an officer appointed by him for verification of the particulars so declared at the nearest place where such verification is possible.

(4) When a heavy motor-car has been registered, the following particulars shall be entered in the register of motor vehicles referred to in rule 2, namely :—

(a) the weight of the car when unladen, as declared under sub-rule (1) of this rule,

(b) the axle-weight of each axle, as so certified, or (if not so certified) as declared by the owner of the car

(c) the diameter of each wheel,

(d) the width and material of the tyre of each wheel and

(e) the highest rate of speed at which, in conformity with rule 16, the car may be driven.

(5) The registration of a heavy motor-car shall continue in force for a period of not more than twelve months from

the date thereof, and, on the expiration of that period, the car shall be re-registered before it is again used on the street, half the initial registration fee being payable on such re-registration. Such re-registration shall continue in force for a period of not more than twelve months from the date thereof: but further re-registration may be effected annually on payment of the said half-fee.

24. Marking of heavy motorcars.—(1) Upon receiving from the Commissioner a copy of the entries made in the register relating to a heavy motor-car, the owner shall cause to be painted or otherwise plainly marked in a conspicuous place—

(*a*) on the right or off-side of the car—

(*i*) the registered weight of the car when unladen, and
(*ii*) the registered axle-weight of each axle, and

(*b*) on the left or near side of the car—

(*i*) the highest rate of speed at which, in conformity with rule 16, the car may be driven, and
(*ii*) the owner's name and address.

(2) The said marking shall be made in letters and figures not less than one inch in height, and of such shape and colour as to be clearly legible and clearly distinguishable from the colour of the ground whereon the said marking is made.

(3) The owner of the car shall cause the said marking to be repaired or renewed as often as may be necessary to keep the letters and figures legible and clearly distinguishable.

25. Cancellation of previous registration.—The previous registration of all heavy motor-cars in use on the 3rd October 1917 shall, notwithstanding anything in the proviso to sub-rule (1) of rule 2, one month thereafter, be deemed to have been cancelled, except in the case of cars registered under the rules in force for Calcutta and Howrah.

26. Axle weight of heavy motor car.-(1) the axle-weight of a heavy motor-car shall not exceed the registered axle-weight.

(2) The registered axle-weight of an axle of a heavy motor-car shall not exceed eight tons, and the sum of the ...

gistered axle-weights of all the axles of a heavy motor-car shall not exceed twelve tons

27 Tyres of heavy motor-cars—(1) (a) In all cases the driving wheels of heavy motor vehicles shall be fitted with twin resilient tyres.

(b) The non-driving wheels, is fitted with resilient tyres, shall, if the axle-load is or exceeds four tons, be fitted with twin tyres.

(c) The non-driving wheels, if fitted with non-resilient tyres, shall be smooth and without any projection, and shall not be constructed of separate plates separated by any spaces whatsoever.

(2) The width of the non-resilient tyre of each wheel of a heavy motor-car shall be not less than six inches and the tyres of the wheels on the same axle shall be of equal width.

(3) The permissible axle-load shall not exceed five hundred weights for each inch in width of the combined width of the two tyres of the axle in question.

28. Diameter of wheels of heavy motor-car.—The diameter wheels of a heavy motor-car, if they are fitted with a tyre which is not pneumatic or made of a soft or elastic material, shall be not less than two feet six inches.

29. Use of heavy motor-car upon bridges—(1) When any authority, who is liable for the repair of a bridge, affixes or sets up, in suitable and conspicuous positions on the bridge and on each approach to the bridge, notices stating that the bridge is insufficient to carry a heavy motor-car, the registered axle-weight of any axle of which exceeds such weight as may be specified in such notices, the owner of any such car shall not cause or suffer the car to be driven, and the person driving or in charge of any such car, shall not drive the car upon the bridge, except with the written consent of the said authority.

(2) No owner of a heavy motor-car, the axle-weight of any axle of which exceeds six tons, shall cause or suffer the car to be driven, and no person, driving or in charge of any such car, shall drive the car upon any bridge at any time when another heavy motor-car is on the bridge.

30 No heavy motor-car shall be used on any road, street or other public place, where the use of such vehicles is prohibited—

(a) in the case of roads, streets and other public places vested in, or under the control and administration of, the Municipal Commissioners of any Municipality, or any District Board, by the Municipal Commissioners or the District Board concerned with the approval of the District Magistrate, or

(b) in the case of roads streets or other public places vested in, or under the control and administration of, the Public Works Department, whether within or outside Municipal or District Board areas, by that department

31. Registration on use of trailer (1) No heavy motor car, which is used either as a stage carriage or otherwise for the conveyance of passengers for gain or hire shall draw a trailer.

(2) Not more than one trailer shall be drawn by any motor-car .

Provided that the District Magistrate may, by order for special reasons to be recorded by him permit more than one trailer to be drawn by any such car upon such conditions (if any) as may be specified in such order.

32. Marking of trailer.—The owner of every trailer shall cause to be printed or otherwise plainly marked on a conspicuous part of the right or off side of the trailer, in letters and figures not less than one inch in height, and of such shape and colour as to be clearly legible and clearly distinguishable from the colour of the ground whereon the said marking is made—

(a) the weight of the trailer when unladen, and

(b) the axle-weight of each axle of the trailer. if the weight of the trailer when unladen exceeds one ton:

and shall cause the said marking to be repaired or renewed as often as may be necessary, to keep the said letters and figures clearly legible and clearly distinguishable.

33. Axle weight of trailers.—The axle-weight of an axle of a trailer shall not exceed four tons.

gistered axle-weights of all the axles of a heavy motor-car shall not exceed twelve tons.

27 Tyres of heavy motor-cars—(1) (a) In all cases the driving wheels of heavy motor vehicles shall be fitted with twin resilient tyres.

(b) The non-driving wheels, is fitted with resilient tyres, shall, if the axle-load is or exceeds four tons, be fitted with twin tyres.

(c) The non-driving wheels, if fitted with non-resilient tyres, shall be smooth and without any projection, and shall not be constructed of separate plates separated by any spaces whatsoever.

(2) The width of the non-resilient tyre of each wheel of a heavy motor-car shall be not less than six inches and the tyres of the wheels on the same axle shall be of equal width.

(3) The permissible axle-load shall not exceed five hundred weights for each inch in width of the combined width of the two tyres of the axle in question.

28. Diameter of wheels of heavy motor car.—The diameter wheels of a heavy motor-car, if they are, fitted with a tyre which is not pneumatic or made of a soft or elastic material, shall be not less than two feet six inches.

29. Use of heavy motor-car upon bridges—(1) When any authority, who is liable for the repair of a bridge, affixes or sets up, in suitable and conspicuous positions on the bridge and on each approach to the bridge, notices stating that the bridge is insufficient to carry a heavy motor-car, the registered axle-weight of any axle of which exceeds such weight as may be specified in such notices, the owner of any such car shall not cause or suffer the car to be driven, and the person driving or in charge of any such car, shall not drive the car upon the bridge, except with the written consent of the said authority.

(2) No owner of a heavy motor-car, the axle-weight of any axle of which exceeds six tons, shall cause or suffer the car to be driven, and no person, driving or in charge of any such car, shall drive the car upon any bridge at any time when another heavy motor-car is on the bridge.

30. No heavy motor-car shall be used on any road, street or other public place, where the use of such vehicles is prohibited—

(a) in the case of roads, streets and other public places vested in, or under the control and administration of, the Municipal Commissioners of any Municipality, or any District Board, by the Municipal Commissioners or the District Board concerned with the approval of the District Magistrate, or

(b) in the case of roads streets or other public places vested in, or under the control and administration of, the Public Works Department, whether within or outside Municipal or District Board areas, by that department

31. ***Registration on use of trailer*** (1) No heavy motor car, which is used either as a stage carriage or otherwise for the conveyance of passengers for gain or hire shall draw a trailer.

(2) Not more than one trailer shall be drawn by any motor-car :

Provided that the District Magistrate may, by order for special reasons to be recorded by him permit more than one trailer to be drawn by any such car upon such conditions (if any) as may be specified in such order.

32. Marking of trailer.—The owner of every trailer shall cause to be printed or otherwise plainly marked on a conspicuous part of the right or off side of the trailer, in letters and figures not less than one inch in height, and of such shape and colour as to be clearly legible and clearly distinguishable from the colour of the ground whereon the said marking is made—

(a) the weight of the trailer when unladen, and

(b) the axle-weight of each axle of the trailer, if the weight of the trailer when unladen exceeds one ton:

and shall cause the said marking to be repaired or renewed as often as may be necessary, to keep the said letters and figures clearly legible and clearly distinguishable.

33. Axle weight of trailers.—The axle-weight of an axle of a trailer shall not exceed four tons.

47. No motor-car, registered under these rules, shall be used in Calcutta, including its suburbs and the Municipality of Howrah, except in conformity with the rules in force for the area.

PART V.

I. Additional Rules Applicable to the Darjeeling District.

48 Except as provided in the rules 49 and 50, no motor vehicle shall be driven on any road in the District of Darjeeling.

49. (*i*) Motor-cars, not exceeding 25 horse-power and 21 hundred weights in weight, when loaded, may be driven on the following roads :—

(1) All roads in the Terai of the district.

(2) The Teesta Valley Road from Sivoke to Teesta Bridge.

(3) The Punkhabari Road from Kurseong Railway Station to the entrance to Constantia.

(4) The Rishi Road from Teesta Bridge to Kalimpong.

(*ii*) Motor-cars, not exceeding 25 horse-power and 35 hundred-weights in weight, when loaded, may be driven on the following roads :—

(1) The Hill Cart Road from Siliguri to Darjeeling.

(2) The Lebong Cart Road.

(3) The Cart Road from Jorebungalow to Takdah Cantonment.

(4) The Cart Road from Jorebungalow to Jalapahar.

(5) Mackenzie Road.

(6) Tonga Road.

(7) Greer Road.

(8) Robertson Road from Mackenzie Road to the Municipal Motor Stand.

(9) Tukvar Road from its junction with *Lebong Cart* Road to Fernhill Gate.

(10) Ferndale Road from Bazar to Lewis Jubilee Sanitarium.

(11) Pyari Talukdar Lane (formerly known as Dharamsala Road) from Ferndale Road to the Ropeway

Upper terminal.

(12) Hiralal Ghosh Road (formerly known as Babuganj Road) between Pyari Talukdar Lane and Jail Road.

(13) Jail Road from its junction with Hiralal Ghosh Road to the bazar.

(14) Road from bazar Post Office to Eden Sanitarium.

(15) Lebong Circular Road formerly known as Western)

(16) Laldighi Road from Cart Road to its junction with Bellen Villa Road.

(17) Ghum-Simana Road :

Provided that motor-cars licensed to carry goods, or passengers exceeding five in number including the drivers, shall not be driven on this road from Sukiapokhari to Simana without special permission of the Deputy Commissioner to be previously obtained in each case.

(*iii*) Motor-cars, not exceeding 10 tons in weight, when loaded, may be driven on the following roads in the Terai of the District, namely :—

(1) Siliguri-Naxalbari Road.

(2) Tirihana-Bagdogra Road.

Note :—for the calculation of horse-power no allowance shall be made for rarified air.

50. Motor-cycles may be driven on the following roads in addition to the roads mentioned in rule 46 :—

(1) The Ghoom-Simana Road.

(2) The Sukiapokhari-Nagri Spur Road.

(3) The Peshok Road from the sixth mile to Teesta Bridge

(4) The Rishi Road from Teesta Bridge to Kalimpong.

(5) Auckland Road from its junction with Greer Road to Planters' Club.

(6) Senchal Road from Jorebungalow to Balaclava Hotel.

51. Notwithstanding anything contained in any other rule, no motor vehicle shall be driven within the limits of the district of Darjeeling at a speed exceeding 12 miles per hour and within municipal limits at a speed exceeding 9 miles

per hour and the speed in all bazars and round blind projecting corners shall not exceed 5 miles per hour.

Note—the following roads and portions of roads shall among other places be deemed to be bazars for the purpose of this rule, namely :—

(1) From the Railway engine Shed, Kurseong, to the Clarendon Hotel.

(2) From the Railway Engine Shed, Kurseong, to the entrance to Constantia.

(3) From the Peshok Road turning (Jorebungalow) to the Ghoom Post Office.

(4) From Darjeeling Railway station to the Hospital Johra

(5) The whole of the Cart Road within the limits of the Jalapahar and Katapahar Cantonments.

(6) From the Mess House, Takdah, to the end of Takdah Cart Road.

(7) Darjeeling chowk (from the market to the railway goods shed) and between the thana at Jorebungalow and Senchal Road.

II. Rules applicable to the Darjeeling Hill Cart Road between Sukna and Darjeeling.

52. The following rules shall apply to the Darjeeling Hill Cart Road between Sukna and Darjeeling.

53. (1) Every driver of a motor vehicle shall stop at [illegible] and Darjeeling) and [illegible] shall ascertain from [illegible] m the information in writing, whether any train or motor vehicle has left the said next station on its way to the station where he is stopping. The driver of the vehicle shall acknowledge the receipt of the information in a book to be kept for the purpose.

(2) At the starting station of a motor vehicle, no proceed order shall be issued over any section until all trains and motor vehicles, proceeding in the opposite direction, which have not been warned : have arrived at the starting station of the motor vehicle,

Provided that, at any station, a motor vehicle shall not be detained more than 25 minutes in expectation of the arrival of unwarned trains and motor vehicles proceeding in the

opposite direction. After the lapse of this period, the vehicle should be allowed to proceed with the necessary warning. If no train is on its way from the next station, the driver may proceed, and, on his so doing, the station master shall take steps immediately to advise the next two stations ahead of having started in order that drivers of subsequent trains and motor vehicles may be made aware of the presence of a motor vehicle on the section. This rule applies to all motor vehicles and motor-cycles with or without side cars;

Provided that if a train, proceeding in the same direction as the car, gets line-clear to a certain point, the car may also proceed to that point to wait the train crossing from the opposite direction

54 When two motor vehicles meet, the down vehicles shall be brought to a stand still on the left hand side of the road on the first information of the approach of the other vehicle and shall not proceed on its journey until the up vehicle has passed :

Provided that this rule shall not apply to motor-cycles without side-cars

III—Rules applicable to Municipal and Cantonment areas.

55. The following rules shall apply to the Municipalities of Darjeeling [illegible]. [illegible] Cantonments of Katapahar, Ja[illegible]

56 (1) No motor vehicle shall be driven within the limits of the Municipalities of Darjeeling and Kurseong and the Cantonments of Katapahar, Jalapahar, Lebong and Takdah, except on a special permit from the Deputy Commissioner, Darjeeling .

Provided that nothing in this rule shall be deemed to prevent a motor vehicle being driven along the portion of the Cart Road lying within the Municipality of Kurseong on its way to a destination outside such area.

(2) The Deputy Commissioner may refuse, for any reason which may appear to him sufficient, to grant such permit to any applicant.

(3) All permits, granted under this rule, shall be valid until the 31st March next following the date of issue.

(4) No charge will be made for the issue or renewal of permits

(5) Names of all the roads along which motor vehicles may be driven shall be specified on the permits issued under this rule

57. (1) Motor vehicles shall not be used within municipal and cantonment areas, unless fitted with adequate silencers.

(2) No motor-cycle shall be ridden in the said areas with the cut-out open.

58. The Deputy Commissioner, Darjeeling, may cancel or suspend, for any reason which may appear to him sufficient, any permit granted by him under the rules.

CHAPTER II.

The Bombay Motor Vehicle Rules.

The Bombay Motor Vehicles Rules, 1915.

PRELIMINARY.

Short Title, Extent and Definitions-1. (1) These rules may be called the Bombay Motor vehicles Rules, 1915.

(2) They shall extend to the whole of the Bombay Presidency, including Aden.

(3) In these rules.

(*a*) " registering authority " shall mean in Sind the superintendent of police, Karachi Head Quarters, in Aden the District Magistrate of Aden, and elsewhere the Commissioner of Police for the City of Bombay ; and

(*b*) "the Act" shall mean the Indian Motor Vehicles Act, 1914 (VIII of 1914);

(*c*) the expression "motor-cycle" means a two, three or four-wheeled cycle propelled by mechanical means, fitted with seats but without a carriage body, and weighing not more than 5 cwt;

Heavy Motor Vehicle -(*d*) the expression " heavy motor vehicle" means a motor vehicle exceeding two tons in weight unladen ;

Trailer.—(*e*) the expression "trailer" means any vehicle drawn by or attached to a motor vehicle ;

Axle Weight —(*f*) the expression "axle weight" means, in relation to an axle of a heavy motor vehicle or of a trailer the aggregate weight, transmitted to the surface of the road or other base whereon the heavy motor vehicle or the trailer moves or rests by the several wheels attached to that axle when the heavy motor vehicle or trailer is loaded ;

Registered Axle Weight.– (*g*) the expression "registered axle weight" means in relation to an axle of a heavy motor vehicle, the axle weight of that axle as registered by the licensing authorities in pursuance of these rules ;

Weight.—(*h*) the expression "weight," in relation to a heavy motor vehicle or trailer when unladen, means the weight of the vehicle exclusive of the weight of any water, fuel or accumulators used for the purpose of propulsion ;

Width—(*i*) the expression "width" in relation to the tyre of a wheel, means the distance measured horizontally and in a straight line across the circumference of the wheel and between the two points in the outer surface of the tyre which are farthest apart;

Diameter.—(*i*) the expression "diameter," in relation to a wheel, means the diameter measured between the two opposite points in the outer surface of the tyre which are farthest apart.

DRIVING LICENSES.

Driving Licenses.—2. (1) A license to drive a motor vehicle shall be granted in the City of Bombay by the Commissioner of Police, in Karachi by the Superintendent of Police, Karachi Head Quarters and elsewhere by the District Magistrate, to any person who can satisfy such authority that he is a competent and careful driver.

Such license may be for driving motor vehicles generally or may be restricted to motor cycles, or in the City of Bombay or in any area notified by the Government of Bombay to motor vehicles excluding heavy motor vehicles:

Provided that, on satisfying the licensing authority that he is competent to drive motor vehicles other than motor cycles, any holder of a license restricted to motor cycles may have the license endorsed for motor vehicles generally or for motor vehicles other than heavy motor vehicles without payment of further fee.

(2) [illegible] for the license [illegible] mporary permit from [illegible] ths. A person, holding such permit shall be subject to the provisions of rule 31-A. On or before the expiry of such permit the holder thereof may appear before the Commissioner of Police or the Superintenpent of Police.' Karachi Head Quarters, or the District Magistrate or before any officer appointed by the aforesaid authorities, to undergo the necessary test in driving and, should such person pass the test satisfactorily, a license to drive shall be issued to him.

(3) Such license shall be valid throughtout British India.

(4) A driving license, granted in accordance with any rule in force for the time being in any province of British

India or in any State in India included in Schedule H, shall be valid up to the date of its expiry throughout the Presidency of Bombay

Fees for Licenses and Permits --The fee for licenses and permits granted under rule 2 (1) and (2) shall be—Rs.

For a temporary permit	... ...	2
For a driving license	.. ...	10
For each renewal of a driving license if renewed from the date of its expiry.	... ...	2
For a duplicate license.	... ...	1

Provided that, in the event of a person holding a temporary permit being granted a driving license, the fee, paid for the temporary permit, shall be so adjusted as to form part of the fee for the driving license.

A driving license will not ordinarily be renewed after the date of its expiry; but no person shall be debarred from obtaining a fresh license on payment of Rs. 10 merely by reason of his former license having expired without renewal. In cases, where a driving license cannot be renewed in time owing to circumstances beyond the control of the licensee, the licensing authority may in his discretion charge a renewal fee of Rs. 2 instead of the full license fee of Rs. 10.

4. Credit of Fees --The Commissioner of Police for the City of Bombay shall, on or before the thirty-first day of January in each year, pay to the credit of the Municipal Fund specified in section 111 of the City of Bombay Municipal Act 1888, the balance, after all expenses incurred in administering the Act in the City of Bombay have been defrayed, of the fees received by him for licenses granted by him under rule 2 in the preceding year.

5. Period of Driving License--Every driving license shall remain in force for a period of twelve months from the date on which it is granted, but shall be renewable from the date of its expiry, and the same provisions shall apply to the renewal of [illegible] int thereof : provided that in Ade[illegible] remain in force from the date on [illegible] March following.

5 A. A driving license granted under rule 2 may be cancelled or suspended by a written order for a period not exceeding one year by the authority, by which it was granted and for reasons to be recorded by such authority, provided th

no such license shall be cancelled or suspended unless the driver has been convicted of an offence under the Act or the the rules made thereunder or of any offence under the Indian Penal Code arising out of the use of a motor vehicle.

6. Registration (1) No motor vehicles shall be used (save in accordance with rule 14 or for the purpose of procuring registration or re-registration).—

(*a*) unless it has been registered by the registering authority, and

(*b*) unless the registration certificate granted in respect thereof is in force.

(2) Registration certificates granted in accordance with rule 73 and Schedule 'D,' shall expire on the 31st August next following the date on which they are granted.

(3) Registration certificate shall be renewable. The [illegible] the renewal of a certificate [illegible]

(4) Notwithstanding anything in this rule, any registration certificate, granted under any enactment for the time being in force in any part of British India other than the the Presidency of Bombay, or in any State in India included in Schedule 'H' shall be valid in the Presidency of Bombay until the date of its expiry.

7. Fee for registration.—The fee for registration shall be four rupees for motor cycles, sixteen rupees for motor vehicles of two tons and under and thirty-two rupees for motor vehicles exceeding two tons.) A fee of Re. 1 shall be charged in any case for the grant of a duplicate registration certificate:

Provided that no fee shall be charged for the renewal of a registration certificate in any case where the application for renewal is made before the expiry of the certificate.

Provided also that traction engines used solely for agricultural purposes shall be registered free of charge and steam rollers, fire-engines and fire-escape tenders need not be registered.

7 A. License Card—A license card for motor vehicle shall also be issued in the form set out in Schedule 'DD'.

7B Particulars as to License Card (*a*) The license card shall be attached to and carried on the vehicle at all

times when the motor vehicle is in use on a public road or street in a holder in compliance with the specification set out in Schedule 'DD.'

(b) The licence shall be carried on the motor vehicle—

(i) In the case of motor cycles, motor cycles with side cars, motor tricycles, and motor scooters, in a conspicuous position on the near side of the vehicle: and

(ii) In the case of motor vehicles (except when placed on or adjacent to the wind-screen as hereinafter provided) on the near side of the vehicle facing toward the near side of the road and not less than 2 feet 6 inches nor more than 6 feet 6 inches from the ground level between two parallel lines, the first drawn vertically through the rearmost part of the driving seat, and the second drawn vertically 6 inches in front of the base of the front glass wind-screen, where no such wind-screen is fitted, through a point 4 feet forward of the first line.

Provided that, in the case of a vehicle fitted with a front glass-screen extending across the vehicle to the near-side, the license card shall be carried facing forwards on the near (left) lower corner of the glass of the wind-screen so as to be visible through the glass. In the event of the license card being carried upon the glass portion and otherwise complying with the rules, the obligation that it shall be carried in a metal holder with a clear glass front shall not be enforced if it is so carried as to be weather-proof.

(c) The licence card shall be placed and carried so as to be clearly visible at all times by daylight to a person standing at the near side of the vehicle, whether such vehicle is moving or stationary.

8. Distinguishing numbers—The registering authority shall assign a distinguishing number to the motor vehicle with the name of the registering centre in front, *viz*:—

BOM., BOM.-Z, or Y for Bombay.

K. A. for *Karachi.*

A D N for Aden.

9. Particulars as to distinguishing Numbers:—

(*a*) Numbers assigned to motor vehicles shall be shown in white on a black ground.

(*b*) The numbers shall be of the following dimensions:-

Height of each figure 3½ inches, uniform thickness ⅝ inch, each figure occupying a space of 2¼ inches with 1 inch between each figure, and a margin of ½ inch at the top, bottom and sides of the plate;

Provided that in the case of motor cycles the number may be not less than two-thirds of the above dimensions.

(*c*) The numbers shall be painted on a plate rigidly affixed in a conspicuous place on the front and back of the motor vehicle and on the back of any trailer:

Provided that the number for the back of a motor vehicle or trailer may be painted on any conspicuous smooth surface, such as the petrol tank, that may be available for the purpose, instead of on a plate:

(*d*) No number shall in any way be obscured or rendered or allowed to become not easily discernible at a reasonable distance.

(*e*) In the case of a motor tricycle or motor bicycle, the front number plate shall have duplicate faces and shall be fixed to the front of the cycle so that, from whichever side the cycle is viewed, the letters or figures on one or other face of the plate may be easily distinguishable from the front of the cycle.

(*f*) In the case of registration by the Commissioner of Police and by the Superintendent of Police, Karachi Head Quarters, number plates shall be obtained respectively from the Motor Vehicles Department of the Head Police Office, Bombay, and from the office of the Superintendent of Police, Karachi Head Quarters, on payment of the cost.

10. Registration in Districts :—In the case of applications for the registration of motor-vehicles elsewhere than in the City of Bombay, the City of Karachi and Aden, the registering authority may accept the certificate of the District Superintendent of Police of the district from which the application is made that the requirements of rule 12 and, where that applies, rule 13 are, in any particular case, in his opinion duly complied with.

11. Register--The registering authority shall establish and keep a register (herein after referred to as the "Register of Motor Vehicles") for the registration of motor vehicles in which the name and address of the owner together with the description of the vehicles will be recorded and such register shall be kept in two parts, *viz*:—

(a) A Register of Motor Cars and Cycles.

(b) A Register of Heavy Motor Vehicles.

Persons, applying for copies of particulars of any can registered in the said registers, shall pay eight annas for copy with a maximum of Rs. 3 when copies of particulars of more than one car are applied for by the same person at the same time.

12. Requirements before Registration.--*Before registering a motor vehicle, the registering authority shall* be satisfied:

(a) that it is provided with two independent brakes or other means of stoppage in good working order and of such efficiency that the application of either is capable of promptly stopping the motor vehicle whether going forwards or backwards,

(b) in the case of internal combustion engines, that no cut-out, fitting or orther apparatus or device for allowing the exhaust gases from [illegible] mosphere without first pass[illegible]sion chamber or other cont[illegible]-for reducing, as far as may reasonably be practicable, the noise caused by the escape of the said gases, shall be used—

(c) if such motor vehicle is propelled by steam, that

(i) it is so constructed as to consume its own smoke as far as practicable,

(ii) it is fitted with an efficient "spark arrester";

(d) if such motor vehicle is propelled otherwise than by steam;

that it is so used that no smoke or visible vapour is emitted therefrom except from any temporary or [illegible] cause;

(e) that it is provided with efficient mudguar[illegible]

13. (1) Before registering a heavy motor vehicle, the registering authority shall also satisfy himself that the tyres of the wheels of the vehicle, if the tyres are not pneumatic, or are not made of a soft or elastic meterial, are of the dimensions required by the special rules for heavy motor vehicles, and may also have the weight of the heavy motor vehicle, and if he thinks necessary, the axle weight of each wheel, ascertained in such manner as he may by general or special order direct.

(2) Heavy motor vehicles shall be provided with a mirror so situated that the driver can have distinct view of traffic approaching from behind on his right hand.

14. Dealers' Numbers.—(1) A general number for seven motor vehicles will be issued on payment of an annual fee of Rs. 30 to any dealer in or manufacturer of motor vehicles. Each such number shall have seven consecutive letters of the alphabet assigned to it, and every vehicle used under this rule shall carry such number with one of the letters in the manner prescribed in rule 9 except that they shall be in white on a red ground.

Diagram of plate for general number.

GEN.

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Seven additional letters will be assigned to the number on payment of another fee of Rs. 30. Any manufacturer, or dealer who requires a further series of letters will obtain it for a similar fee, if he satisfies the licensing authority that it is required for *bona fide* trade purposes.

(2) The holder of a general license shall not use any vehicle on a road under that license for any purpose other than

(1) On test or trial during the course of construction or repairs or after completion in either such case ;

(2) For the purpose of proceeding to or from the prescribed place of registration ;

(3) On trial for the benefit of a prospective purchaser and for proceeding to or returning from the place where the prospective purchaser intends to keep such vehicle. For such purpose the vehicle may be driven by the prospective purchaser, if he holds

a driver's license.

(4) For delivery to or from the premises of a manufacturer or trader, and from such premises to the premises of a purchaser or of another manufacturer or trader,

(5) For proceeding to or returning from a workshop with the object of fitting a body to the vehicle or of painting or repairs ;

(6) For proceeding from the premises of a manufacturer or trader to a Railway Station or wharf for entertaining or shipment, or from a train or ship to the premises of the manufacturer or trader;

(7) For proceeding to an exhibition of motor vehicles with the object of exhibiting the vehicle or for returning from such exhibition to the premises of a manufacturer or trader ;

(8) On trials organised by the Western India Automobile Association or Bombay Motor Cycling Club ;

(9) For proceeding to or returning from any place at which the vehicles it to be or has been offered for sale

Provided that if a customer, residing outside the Presidency, purchases a car in Bombay and intends to use it in Bombay, it may be used under a general number for a period not exceeding 7 days.

5. **Dealers' Register** -Such manufacturer or dealer shall keep a register in such forms as the registering authority may direct, showing the name of the driver and the hours and dates on which he was in charge of the vehicle. He shall also keep a register in which the number of all registered cars in his possession shall be entered up, showing the date on which such cars were received into his possession.

On demand such registers shall be open to inspection by any police officer above the rank of Sub-Inspector, or by any officer of the Municipality of and above the rank of Assistant Superintendent.

6 **Transfer of Ownership**.-(1) Every transfer of ownership and every temporary transfer of possession of a motor vehicle shall forthwith be intimated to the registering authority both by the registered owner and by the transferee.

Provided that no intimation shall be required for temporary transfers for a period not exceeding one month.

(2) The transferee shall pay a fee of Re. 1 for each such transfer.

The word "transferee" includes the purchaser, dealer, auctioneer-receiver, agent, repairer or any person who may be in temporary charge of the vehicles for the time being.

17. Intimation of change of circumstances.—If any circumstances (other than those mentioned in rules 16 and 29), occurring in relation to any motor vehicle, affect the accuracy of any particulars entered as regards that car in the Register of Motor Vehicles, the owner of the motor vehicle shall forthwith inform the registering authority with whom it has been registered.

18. Subsequent defects—Where the registering authority or any District Magistrate, at any time after a motor vehicle has been registered, considers, on the report of any District Superintendent of Police or otherwise, that it has ceased to comply with the requirements of the Act or the rules made thereunder or that it has not been maintained in such condition as to prevent danger to the public, such registering authority or District Magistrate may, after notice to the registered owner, direct that the registration be cancelled until such time as the defects are rectified to its satisfaction. Where the District Magistrate himself is not the registering authority, he shall report the fact that registration has been cancelled to the registering authority.

GENERAL.

Rule of the road---19. (1) A motor vehicle shall be driven in accordance with the rules of the road which require a vehicle to keep on the left of the road except when passing horses and other vehicles going in the same direction which should be passed on the right, and provided that it should ordinarily pass a tramcar on the left or near side whether it be going in the same or the contrary direction.

(2) The driver of the motor vehicle when turning into a side street, if to the left shall keep close to the corner, if to the right shall make a wide curve. He shall further, when about to turn to the right, hold out his right hand horizontally to the right of the vehicle, and when about to stop raise hand vertically, palm to the front.

(3) A motor vehicle entering a main road from a branch or side road should enter the main road slowly and give way to vehicles travelling on the main road.

(4) When main roads have not been defined, motor vehicles approaching any intersection of roads shall yield the right of way to vehicles approaching such intersection from the left.

20. Speed limits (1) No motor vehicle shall be driven at greater speed than twenty miles an hour within the limits of

(*a*) the City of Bombay ; and

(*b*) any Municipality or Cantonment to which this proviso may be applied by the orders of Government

Provided that at night, where the road is unlighted by street lamps, and at all times in the neighbourhood of tramways, railway stations and crossings, cross-roads, side streets, curving roads (when the road in front cannot be seen) in dense traffic, in passing over narrow bridges, or by a road entrance to private *grounds, or through or near* any road-side village, or in the proximity of a toll gate, the driver shall bring his vehicle under complete and immediate control :

Provided also that in such places as the District Magistrate may think necessary, he may indicate by means of notice boards that motor drivers shall not allow the speed to exceed six miles an hour or such higher rate as may be shown on the board :

Provided also that in the fortress of Aden and in Sheikh Othman the speed of all lorries and omnibuses with a carrying capacity of over 5 passengers shall not exceed 12 miles an hour.

(2) The speed at which a heavy motor vehicle is driven on any public road shall not exceed eight miles an hours Provided that—

(*a*) if the weight of the motor vehicle unladen exceed three tons, or

(*b*) if the registered axle weight of any axle exceeds six tons, or

(*c*) if a trailer is attached to the heavy motor vehicle, "same as here in after provided ; the speed shall not exceed five miles an hour,

Provided also that—

If the heavy motor vehicle has all its wheels fitted with pneumatic tires or with tires of a soft or elastic material and does not draw a trailer or draws a trailer which is so constructed and by partial superimposition attached to the heavy motor car that at all times the weight upon the real axle of the heavy motor car shall exceed the weight upon the axle of the trailer and which trailer has not more than two wheels in contact with the ground vehicle, such wheels being fitted with pneumatic tyres or with tyres made of a soft or elastic material, the speed at which the heavy motor vehicle may be driven on any public road shall not exceed—

(a) twelve miles an hour, where the registered axle weight of any axle does not exceed six tons;

(b) eight miles an hour, where such registered axle weight exceeds six tons.

Provided also that a heavy motor vehicle, licensed to carry passengers, may be driven at a speed not exceeding 20 miles per hour in the City of Bombay, vide notification, No. 296/2, dated 17-9-1926.

21. Prohibition as to use of Motor Vehicles on Foot-paths and in certain Localities.—A motor vehicle shall not be driven in any footway, nor shall a motor vehicle be driven in any road or public place where such traffic may, for the time being, be prohibited in the City of Bombay by the Commissioner of Police and elsewhere by the District Magistrate.

21-A. No Motor Vehicle to tow a Bicycle.—The driver or person in charge of a motor vehicle shall at no time cause or permit, whilst the motor is in motion, any person riding a cycle to be towed or drawn along by such motor vehicle.

21-B. No Motor Cycle to carry an extra Passenger except in certain cases only.—The person driving or riding a motor cycle without a side car attached shall not cause or permit any other person to be carried on the motor cycle except on a specially constructed pillion seat which shall be approved of by the registration authority.

21-C. Left hand drive Motors.—No motor vehicle with a left hand steering control will be registered, unless it is provided on its right or off side with a mechanical signalling apparatus of a pattern approved of by the registration au-

thority, which shall, when in operation, indicate to the following traffic the driver's intention of turning to the right or of his intention of stopping the vehicle; provided that in all cases of such motor vehicles as have been already registered but are not provided with such apparatus, a period of six months from the date of the introduction of this rule is permitted for the instalment of such apparatus.

22. Motor Vehicles to carry Horns.—Every person, driving a motor vehicle shall have ready and available for immediate use a suitable deep-toned horn or, in the case of a heavy motor vehicle, a suitable gong, capable of giving audible and sufficient warning of his approach or position and shall sound the same whenever expendient to prevent danger to any of the public. No warning device shall be used upon a motor vehicle, unless it has first been approved of by the licensing authority.

23 Electric Devices, &c.—No mechanical devices for magnifying the sound, no sirens, whistles, multiple horns or devices of a like nature shall be used on a motor vehicle in any road or street where such devices may from time to time be prohibited in the City of Bombay by the Commissioner of Police and elsewhere by the District Magistrate.

24 Motor Vehicles to carry Lamps.—No person shall drive a motor vehicle during the [illegible] honour after sunset and ending [illegible] less such vehicle is provided wi [illegible]

(1) In the case of heavy motor vehicles and of motor tricycles and in the case of motor cycles with side cars attached

(*a*) one lamp, showing a white light in front, shall be affixed on each side of the front portion of the vehicle. In the case of motor cycles with side cars one lamp should be fixed on the cycle and one on the front of the side-car, in Aden, such lamps shall be either acetyline or electric lamps, properly hooded;

(*b*) one lamp, showing a red light at the rear and show- [illegible] be affixed at two [illegible] as to illuminate [illegible] easily [illegible] In the [illegible] motor cycle with a side-car, such [illegible] attached to the motor-cycle. [illegible]

(1) In the case of motor cycles without side-cars, one lamp, showing a white light in front, so fixed as to illuminate and render clearly visible the numbers on both sides of the front number plate, shall be attached to the front portion of the vehicle, and one lamp, showing a red light at the rear and showing a white light at the side, shall be attached at the back of the vehicle in such a manner as to illuminate with the white light and render easily distinguishable the number of the vehicle.

(3) In all cases ;

(a) the lamps shall be of suitable character and illumi-

(b) the lamps shall be kept properly alight. [nation

(4) The Commissioner of Police or the District Magistrate may, by special notification in two or more local papers or in any other suitable manner, prohibit within any local limits

(a) the use of acetyline or electric lamps or lamps of description giving a powerful and intense light, or

(b) the use of such lamps unless the glasses have been thickly ground or painted white.

(5) No light other than a white light shall be carried in front of a motor vehicle without special permission of the licensing authority.

25. Use of lamps.—Every lamp, carried by a motor vehicle when in use on a road or street at any time during the period mentioned in rule 24, shall be so constructed, fitted and attached as to prevent its light being moved about or used as a search-light.

26. Maintenance—No person shall drive a motor vehicle

(a) unless it is at all times under full control so as to prevent undue interference with passenger or other traffic, and unless it is maintained in such a condition as to provent danger to the public ;

(b) if such motor vehicle is propelled by steam, unless—

(i) it is so constructed as to consume its own smoke as far as practicable,

(ii) it is fitted with efficient "spark arresters" ;

(c) if such motor vehicle propelled otherwise than by steam· unless it is so used that no smoke or visible vapour is

emitted therefrom except from any temporary or accidental cause ;

(*d*) unless it is provided with efficient mudguards.

27. Standing in streets etc.—No motor vehicle shall be allowed to stand in any street or public unattended by a person licensed under section 6 of the Act, unless all reasonable precautions have been taken to ensure that it cannot be put in motion in the absence of the driver or, if such motor vehicle is propelled by steam, unless its fires have been extinguished and it has ceased to contain in itself sufficient power to move. No driver shall leave such vehicle while the engine is in action

Every motor vehicle, standing in a public place, shall carry at night a lighted rear lamp as prescribed in these rules provided that, if it stands in a place where it is clearly visible, the use of lighted lamps will not be necessary.

27-A. No person shall, when intoxicated, drive a motor vehicle in a public place,

28 Travelling backwards—The driver of a motor vehicle shall not cause the vehicle to travel backwards for a greater distance or time than may be requisite for purposes of safety or in order to turn round, and such movement shall not take place until such driver has ascertained, that the road behind is clear of all traffic.

28-A Report of accidents—The driver of a motor vehicle shall immediately report to the nearest police station any accident involving injury to a human being. In cases where more motor vehicles than one are concerned, it shall be incumbent on the driver of each motor vehicle to make the report required under this rule.

29. Change of address—(1) Intimation of any change of address shall be given by the owner of every motor vehicle to the registering authority and, in the case of an owner leaving his own province, to the registering authority of the province which the owner proposes visiting. Such intimation shall also be given by every holder of a license who drives motor vehicle to the authority empowered to grant licenses.

(2) For the purpose of this rule, the address of such owner or holder shall be deemed to be changed when such person ordinarily resides elsewhere than at the address entered in the license or certificate of registration.

30 Owners and drivers.—Every owner of a motor vehicle shall, at the request of the registering authority or of the authority empowered to grant licenses or of any officer empowered in this behalf by any such authority communicate to such authority any information, required by him in connection with the motor vehicle, which he, in the course of his duty, may desire to obtain with regard to—

(a) Accidents, (b) Transfer of ownership.

(c) Material alteration in appearance,

(d) Driving licenses.

30 Plying or letting for hire—No person shall ply or let for hire a motor vehicle, unless it is first registered in accordance with rule 6 of these rules, and unless it complies with the special regulations made for the regulation of vehicles let or plying for hire.

31-A. Temporary Permits—No person holding a temporary permit under rule 2 (2) shall drive a motor car or motor lorry, unless there is beside him in such car or lorry a Person duly licensed under rule 2 (1):

Provided that such holder of a temporary permit shall not drive a motor vehicle on a ghat road included in schedule G even when a person duly licensed under rule 2 (1) is beside him.

32 Motor Competition or Reliability Trails.—No motor competition, reliability trail, display or exhibition, in which more than five motor vehicles take part, shall be permitted on any public road without the previous sanction of Government.

33. Responsibility for Conforming to Rules.—No person shall drive or have charge of or cause or permit to be used any motor vehicle which does not in all respects conform to these rules, or which is driven or used so as to contravene any of these rules.

NOTICE BOARDS & DANGER SIGNALS.

34. (1) Notices, displayed on notice boards on roads for the purposes of section 12 of the Act or for the purposes of any of these rules, shall be written in white letters on a red ground. Such notices shall contain such wording, in letters not less than three inches high, as to indicate that the notice is a caution addressed to drivers of motor vehicles.

Speed limits shall be indicated in such notices by figures not less than three inches high. All such notice boards shall be placed so as to be on the left side of the road for a driver approaching the place to which they refer.

(2) (*a*) Danger signals shall display clearly in white on a red circle enclosed within a white ring painted on a red plate of the shape of equilateral triangle with sides 20" long the following conventional signs (omitted).

(*b*) In every case, a plate not less than 17 inches long by 5 inches in depth, bearing in white letters on a red ground the word "Caution", shall be affixed at a distance of 3 inches below the plate bearing the conventional sign.

(*c*) Such signals shall be posted as nearly as may be at a distance of 75 yards from the obstructions which they are meant to point ont. In cases where this is impracticable, there shall be affixed, immediately below the caution plate, a plate showing in white letters 3 inches high on a red ground, the distance in yards between the signal and the obstruction.

SPECIAL RULES FOR HEAVY MOTOR VEHICLES.

35. Registration of Weights.—On every application to a registering authority for the registration of a heavy motor vehicle the applicant shall declare—

(*a*) the weight of the heavy motor vehicle unladen,

(*b*) the axle weight of this axle.

(*c*) the diameter of each wheel.

36 Registered Weight to be printed on the Vehicle.—Upon receiving from the registering authority a copy of the entries made in the register relating to a heavy motor vehicle or trailer, the owner of the motor vehicle shall cause—

(*a*) the highest rate of speed at which in conformity with the rules the heavy motor vehicle may be driven without a trailer.

(*b*) the registered weight of the heavy motor vehicle or trailer unladen, and

(*c*) the registred axle weight of each axle.

to be printed or otherwise plainly marked in letters not less than one inch in height, and in such a manner as to be legible at a distance, in the case of (*b*) and (*c*) upon some conspicuous part of the right or off side of every motor vehicle or trailer, and in the case of (*a*) on the left or near

This rule shall not apply to trailers not exceeding one ton in weight unladen.

37. Axle Weight.—(*i*) The axle weight of an axle of a heavy motor vehicle shall not exceed the registered axle weight.

(*ii*) The registered maximum axle weight of any axle of a heavy motor vehicle shall not exceed eight tons; and the axle weight of any trailer, not conforming to the requirements laid down in the second proviso to rule 20 (2), shall not exceed four tons.

(*iii*) The sum of the registered axle weights of all the axles of a heavy motor vehicle shall not exceed twelve tons, save in the case of a heavy motor vehicle with a trailer, conforming to the requirment laid down in the second Proviso to rule 20, (2) when the sum of such registered axle weights shall not exceed 16 tons.

38. Tyres - The tyres of each wheel of a motor vehicle or trailer, unless the tyres are pneumatic or made of a soft or elastic material, shall be smooth and shall, where the tyre touches the surface of the road or other base whereon the heavy motor vehicle moves or rests, be flat, provided that edges of the tyre may be Levelled or rounded to the extent in the case of each edge of not more than half an inch :

Provided also that—

If the tyre is constructed of separate plates, the plates may be separated by parallel spaces which shall be disposed through the outer surface of the tyre, so that nowhere shall the aggregate extent of the space or spaces in the course of a straight line drawn horizontally across the circumference of the wheel exeed one-eighth part of the tyre.

39. Width of Tyre.—The width of the tyre of each wheel of a heavy motor vehicle or trailer shall be determined by such of the following conditions as may apply to the circumstances of the case : that is to say,—

(*a*) The width shall in every case be not less than 5 inches, or in the case of a troiler, 3 inches.

(*b*) The width shall be not less than that number of half inches which is equal to the number of units of registered axle weight of the axle to which the wheel is attached

39-A. In the case of motor vehicles fitted with [illegible] solid rubber tyres the thickness of the tyres shall be uniform and shall not be less than shown below —

Tyre width	Minimum uniform thickness
5″	7/8″
5″ to 8″	1″
8″ and upwards	1″ ¼″ vide No.

40. The Unit of registered Axle-weight--The unit of registered axle weight shall vary according to the diameter of wheel, and the rules set forth in the subjoined scale; that is to say,—

(*i*) if the wheel is 3 feet in diameter, the unit of registered axle weight shall be 7½ cwts:

(*ii*) if the wheel exceeds 3 feet in diameter, the unit of registered axle-weight shall be 7½ cwts. with an addition of weight in the proportion of one hundred-weight for every 12 inches by which the diameter is increased beyond 3 feet: and in the same proportion for any increase which is greater or less than 12 inches; and

(*iii*) if the wheel is less than 3 feet in diameter, the unit of registered axle-weight shall be 7½ cwts., with a deduction of weight in the proportion of one hundred weight for every 6 inches by which the diameter is reduced below 3 feet; and in the same proportion for any reduction which is greater or less than 6 inches.

(2) This rule shall not apply to any tyre which is pneumatic or which is made of a soft or elastic material, or to trailers not exceeding one ton in weight unladen.

41 Size of Wheels—The diameter of a wheel of a heavy motor vehicle or trailer, if the wheel is fitted with a tyre which is not pneumatic or is not made of a soft or elastic material shall be not less than two feet.

42 Width and Length of Vehicle.--A heavy motor vehicle, and any trailer attached to any such heavy motor vehicle, may, when measured between its extreme projecting points, be of a width not exceeding 7 feet 6 inches; and no heavy motor vehicle or trailer attached to it shall be used on any street or road if such motor vehicle exceeds 36 feet in length.

43. Springs.--Every heavy motor vehicle and the trailer shall be constructed with suitable and sufficient springs between each axle and the frame of the vehicle.

(2) The weight of a traction engine shall not exceed 14 tons.

54. Brakes of Trailers.--Each trailer, attached to a traction engine, shall have a brake approved by the registring authority.

55. Maximum Limit of 3 Trailers. --No traction engi.e used on any road or street shall have attached to it more than three trailers.

56. Persons in attendance.--Every traction engine must have three persons in attendance, two persons to attend to the traction engine, and one person to be on the watch and ready to help any person with horse and carriages meeting or overtaking the traction engine and attend to the trailers.

57 Position of Man in charge of Trailers.--The man in charge of the trailers should always be on the alert when nearing and passing through a town or village or when approaching a turning even though in the country.

58 Man Preceeding Engine.--When travelling on a road less than 12 feet wide one man must precede the engine at a distance reasonably sufficient to warn approaching traffic.

59. Tyres.--A traction engine, drawing any wagon or carriage, shall have the tyres of the driving wheels thereof not less than two inches in width for every ton in weight of the traction engine unless the diameter of such wheels shall exceed 5 feet, when the width of the tyres may be reduced in the same proportion as the diameter of the wheels is increased, but in such case the width of such tyres shall not be less than 14 inches

60. Driving Wheels.--The driving-wheels of a traction engine shall be cylindrical and smooth-soled. Cross barred, grooved or studded tyres shall not be fitted to any traction engine, but the District Magistrate (or in the City of Bombay the Commissioner of Police) may in his discretion, and for such period as he thinks proper, exempt from the operation of this rule any traction engine, fitted with such tyres, which has already been licensed." Vide notification, No. 1129-IV, dated 21-12-1926.

GHAT ROADS AND HILL STATIONS

61. Ghat Road --The following rules shall be in force on the ghat roads specified in Schedule G which will be revised from time to time as Government may prescribe. On all such roads, motorists shall proceed with special caution.

62 Definitions.—In the following rules—

"Night" means the period from half an hour after sunset to half an hour before sunrise. The "outside" of the road on a ghat means the side from which the slope of the hill is downwards.

A "ghat" or "ghat road" means a road constructed on a gradient on the side of a mountain or hill. The District Magistrate shall notify by means of large notice boards on the roadside where each ghat begins and ends.

63 Night Travel.—No motor vehicles shall travel by night on any of the ghat roads specified in Schedule G, provided that this rule shall not be deemed to apply to any motor vehicle, in respect of which the District Magistrate shall grant a certificate that it is or has been travelling in a case of emergency: and no heavy motor vehicle shall travel by night on the Main Pass between Tawahi and the Crater of Aden, except with the special permission of the Political Resident at Aden.

Exception : [illegible]
Limited, shall [illegible]

[illegible]

lights and shall not travel by night at a rate exceeding twelve miles an hour.

Exception 1-A—Any contractor authorised in this behalf by the Postmaster General, Bombay, may run by night such number of motor vehicles carrying mails as may be specified in his contract over the Katraj, Kombatki and Pasarni Ghats on the Poona to Mahabaleshwar Road (Nos. 1334 and 35 in Schedule G to these rules) under the conditions specified in exception 1.

Exception 2—Should a motor vehicle breakdown on any road on which night travelling is prohibited, the driver, if unable to accomplish his journey before nightfall, may proceed after executing the necessary repairs but shall halt at the first Police Station he comes to after dark and there give his name and the number of his car and a statement of the reasons why he is travelling at that hour, and shall [illegible] with great caution.

Exception 3- Any contractor, authorised by the P[illegible]

General, Bombay, may run by night such number of motor vehicles carrying mails as may be specified in his contract over the Arbail Ghat on the Karwar-Bellary Road (No. 42 in Schedule G, to the said Rules) on condition that such motor vehicles shall be provided with two powerful headlights and shall not travel by night at a rate exceeding twelve miles an hour.

Exception 4—"Motor Vehicles of the Royal Tank Crops Schools, Ahmednagar, may, for the Purposes of training the personnel, be driven at night on the Karanji and Dongargan Ghat Roads (Nos. 72 and 73 in Schedule G to these Rules) with such precautions as may be necessary for the Safety of other traffic"—Vide notification, No 96332, Dated 18-6-1926)

64. Passing—Motor vehicles shall, where practicable, pass all animals or vehicles drawn by animal on the outside, in whichever direction such animal may be proceeding.

Exception—On ghat roads between Poona and Wai and Wai and Mahabaleshwar, motor vehicles shall observe the rules laid down in rule 19 (1)

65. Passing Animals—The driver of a motor vehicle shall in passing animals, allow as much space as the width of the road permits.

66. Kelghar Ghat.-No motor vehicle shall be driven on the Kelghar Ghat between Mahableshwar and Satara unless the District Magistrate shall notify that the said ghat is available for motorists

67. Matharan—(1) No person shall drive a motor vehicle within the limits of Matheran or "on the road from Neral to Matheran". Vide notification No. 6512 dated 15-9-1926.

Mahabaleshwar—(2) No motor vehicle shall be driven at a greater speed than "12" miles an hour within the limits of the Mahabaleshwar Municipal District or on the Old Mahabaleshwar Road between the Mahabaleshwar Mnnicipal limits and Arthur's Seat. (Vide notification, No. 9309 Dated 18-3-1926).

(3) No person shall drive a motor vehicle within the limits of the Mahabaleshwar Municipal District or on the Old Mahabaleshwar Road between the Mahabaleshwar Municipal limits and Arther's Seat, except in accordance with the

written permission of the Superintendent, who may, subject to the general control of Government, grant or refuse such permission at his discretion, and may in granting it, prescribe such general or special conditions as he think fit :

Provided that on first arrival for, or final departure after a *bona fide* visit to Mahabaleshwar for the purpose of residence, any person may without such permission, drive, or be conveyed in, a motor vehicle which is not a vehicle let for hire to or from his residence

(4) Motor vehicles let for hire shall not proceed beyond such place as the Superintendent may notify as the depot for such motor vehicles at Mahableshwar.

(5) The, Superintendent shall notify by means of notice boards on the roadside such roads as are closed against all motor traffic and no motor vehicles shall proceed along any road so closed.

68 Speed Limits on Ghat Roads—No motor vehicle shall be driven at a greater speed than fifteen miles an hour going down hill or twenty miles an hour up hill on any of the ghat roads specified in Schedule G :

Provided always that a driver shall so drive his car as to be able to bring it under complete and immediate control :

Provided that no motor vehicle shall be driven at a greater speed than 10 miles an hour between the points noted below at the top and bottom of the Pasarni and Khambatki Ghats.

Miles and furlongs from Surul.	Place.
14—3 to 14—1	... Top of Pasarni Ghat
8—¼ to 8—1½	... Bottom of Pasarni Ghat

Miles and furlongs from Poona.	
44—4 to 44—6	..Top of Khembatki Ghat
40—2½ to 40—4½	... Bottom of Khambatki Ghat

69. Notice—The substance of rules 62 to 68, so far as they affect each road concerned, shall be displayed on notice boards in a convenient position on such road.

FORMS.

70. Application for License—Every application for a license under Section 6 of the Act shall contain the particulars specified in Schedule A and, in the case of a professional driver or a driver of motor vehicle let or plying for hire, shall, be accompanied by two photographs of the applicant for the use of the licensing authorities.

71. License—Every license granted under Section 6 of the Act shall be in the form of Schedule B and shall be available for the whole of India and in the case of a license granted to a professional driver or to a driver of a motor vehicle let or plying for hire shall in addition bear a photograph of such driver.

7? [illegible]—Every application for [illegible] e Act shall contain the [illegible]

73. Registration Certificate.—Every registration certificate granted under Section 10 of the Act shall be in the form of Schedule D and shall be available for the whole of British India

74. Transfer Certificate.-Every transfer certificate granted under rule 16 shall be in the form of Schedule E.

SCHEDULE A. RULE 70.

Particulars to be given by Applicant for License to drive

SCHEDULE B. RULE 71.

Form of driving license.

Available for the whole of British India.

SCHEDULE C. RULES 6 and 72.

Application for Registration.

SCHEDULE D Rules 6 and 73.

Registration Certificate.

SCHEDULE DD RULES 7A & 7B.

Form of License Cards and specification of holder therefor, License Card.

"The holder must be of metal and of weather proof con-

struction. It must be circular and conform to the following dimensions:—

Card Tray—The license card should fit neatly into a sheet metal Tray of suitable thickness, having a turned up edge of sufficient depth to hold the card and a stout cover glass.

Ring Cover—A circular ring of sheet metal shaped to fit down closely on the Tray, and adopted for fixing by screws. both or otherwise to the vehicle in the prescribed Position, A rubber packing ring should be arranged to fit between the whole carrier wether proof

Dimensions—The aperture within the ring cover should clearly exhibit the whole of the license card and should have a diameter of 2 inches vide notification No. 805 dated 27—1—1926.

SCHEDULE E RULE 74.

Tanser Certificate.

SCHEDULE F RULE 85.

Application for registration of a heavy Motor Vehicle.

Declaration.

SCHEDULE G Rule 61 Ghat Road

District.	Taluka or Peta.	Name of Road.	Name of ghat.
Thana	Shahapur	Kurla-Vihigaon Road	Thalghat
"	Shahapur & Wada	Vihigaon-Khodala Road	Gargai.
Kolaba	*Mahad*	*Mahapral-Sirwal Road portion from 12 to 16m 3 fu.*	Waranda.
"	"	Hatkhamba-Poladpur Road portion from 18 td 95m.	Kashedi.
Thana	Vada	Road from Khodala to Mokhada.	Khodala.
"	"	Vada-Shirghat Road.	Suryamal.
"	"	"	Shirghat.
Panch Mahals	*Dudhia-Baria state*	*Limkheda Jhalod Road-provincial portion 34 & 35m.*	*Fulpari* the nearest vill. is Rahadul.
Kolaba	Alibag	Alibag-Dharamtar Road portion from miles 5 & 6	Sagaon.
Panch Mahals	Dohad	Godhra-Dohad Road—miles No. 41.	No special name
Ahmedabad	Mahikantha *agency*	*Dhansura-Talod Road—miles 7 and 8.*	Nawalpura-Timba.
"	Modasa Mahal	Modasa-Bibipura Road—mile No 6.	Alampur Hill.
Poona	Haveli	Poona to Mahableshwar.	Katraj.
Poona & Kolaba	Mawal & Khalapur	Bombay Poona Road	Bhor.
Poona.	Purandhur	Hadapsar-Saswad Road	Diva.
Nasik & Thana	Jgatpuri & Vada	Bombay Agra Road near Igatpuri	Kasara.
Nasik.	Chandor & Malegaon.	Manmad-Malegaon Road	Ghat 8m. from Manmal
Nasik.	Jgatpuri	Ghoti- Kolhar Road	Ghat between Vali & Bari
West Khandesh	Dhulia.	*Bombay-Agra Road*	Talia Baril.
"	"	"	Laling.
"	Shirpur	"	Bahiram.
"	"	"	Pimpal.
"	"	"	Gavalan.

SCHEDULE G (Continued)

District.	Taluka or Peta.	Name of Road.	Name of ghat
Poona.	Khed.	Poona-Nasik Road.	Peth.
"	"	"	Awtari.
Nasik	Sinnar	"	Mahodari
East Khandesh	Chalisgaon	Chalisgaon-Outramghat Road	Outramghat
Poona.	Khed.	Dimbha-Bhimashankar Road [Chandor.	Pokhari.
Nasik.	Kalvan & Chandor	Khandesh Nizam Frontier Road between Devla &	Bhowra.
"	Peint and Nasik	Nasik-Balsar Road near Ambegaon	Savalghat.
"	Peint.	" " Peint	Kotambe.
"	Peint and Nasik.	Nasik-Vaghera Goldari Road near Vaghera.	Savaghat
W. Khandesh	Nawapur	Dhulia-Chinchpada Road	Kondaidari
Satara	Khandala	Poona to Mahableshwar.	Kambatki.
"	Wai	Poona to Mahableshwar and Wathar to Mahable- [shwar	Pasarni.
"	"	Wathar to Mahableshwar	Shirgaon
Belgaum [tara	"	Poona-Bangalore Road.	Tavandi.
Ratnagiri & Sa-	Chikodi.	Karad-Chiplun Road	Kumbarli.
Sawantwadi.	Chiplum & Patan	Belgaum-vengurla Road	Amboli.
Ratnagiri	Sangameshwar	Ratnagiri-Kolhapur Road	Amba
"	Ratnagiri.	"	Hatkhamba.
Kanara.	Yellapur.	Karwar-Bellary Road	Arbali
"	Sirsi.	Kumta-Hubli Road	Dvimani
tara.	Javli.	Satara-Mahableshwar Road	Kelghar
atara & Kola-	Javli and Mahad.	Dharamtar " "	Fitzgerald-Ambenali
Belgaum. [ba.	Sampgaon	Belgaum-Kaladgi Road	Kardigudda [ali.
tara.	Patan.	Malharpese-Fandhapur Road	Ural.
	Satara	Satara Shendra Road.	Tunnel.

SCHEDULE G (*contd*)

No.	District.	Taluka or Peta.	Name of Road.	Name of ghat.
49	Belgaum.	Chikodi	Nidani-Mahalingpur Road.	Chickodi
50	Kanara.	Honawar & Siddapur	Honawar-Balgalore Road.	Gersappa
51	"	Kawar.	Belgaum-Kadra Road.	Anshi.
52	Satara.	Karad.	Karad-Bijapur Road.	Surli.
53	"	Khanapur	" "	Revani.
54	Miraj State	"	" "	Rayewadi.
55	Satara.	Khandala	Old Poona Road.	Salpa.
56	Ratnagiri.	Ratnagiri	Hatkhamba-Poladpur-Road	Nivli.
57	"	Chiplun	" "	Khondmala
58	"	"	" "	"
59	"	"	" "	Pedha
60	"	Sangameshwar.	Sakharpa-Sangameshwar-Road.	Sakharpa.
61	"	"	" "	Karambala.
62	"	Deogad.	Nipani-Deogad Road.	Phonda.
63	Satara.	Katav.	Satara-Pandharpur Road.	Wardhangad.
64	"	Man.	" "	Mahimangad.
65	"	"	" "	Dhuldeo.
66	"	Koregaon.	Satara-Tasgaon Road	Nhavi.
67	"	Khanapur.	Malharpeth-Pandharpur Road.	Shamgaon.
68	"	Katav	" "	Taras.
69	Aundh State.	"	" "	Jhara.
70	Satara.	Man.	Pusesavli-Shingpur Road.	Dombaldare.
71	Sholapur.	Malsi as.	Shinghapur Natepata Road.	Bhavani.
72	Belgaum.	Gokak.	Gokak-Road Railway station to Gokak. [17/1.	Gokak Ghat
73	Ahmednagar	Nagar.	Nagar-Shaugaoh Road portion from miles 14/5½ to	Karanji Ghat.
74	"	"	Shendi-wambori Road-portion from miles 11 to 12	Dongargaonghat.

SCHEDULE II.

(*See rule 2 and 6*)

1. Mysore.
2. Benares.
3. Dharampur
4. Sachin.
5. Sawantwadi.
6. Aundh
7. Sangli.
8. Bansda
9. Akalkot.
10. Phaltan.
11. Bharatpur.
12. Baroda
13. Miraj (Senior)
14. Kurundvad (Senior)
15. Jamkhandi.
16. Mudhol.
17. Keonjhar.
18. Mayurvanj.
19. Patna.
20. Talcher
21. Kalahandi.
22. Travancore.
23. Cochin
24. Pudukkottai.
25. Baud.
26. Nilgiri
27. Hyderabad.
28. Kashmir.
29. Kurundwad (Junior).
30. Kolhapur.
31. Gawalior.
32. Feudatory State of Burma in Orissa.
33. Jambughoda.
34. Rajpipla.
35. Baria.
36. Feudatory State of Gangpur in Orissa.
37. State of Rampur.
38. State of Benares.
39. Ramdurg
40. Bhor subject to the following arrangements, namely
    (*a*) if a motor vehicle plying for hire takes up passengers in Bhor territory and sets them down in a British District or *vice versa*, it must be licensed to ply for hire both by the State authorities and by the District Superintendent of Police of the British District in which it either sets down or takes up passengers.
    (*b*) a motor vehicle licensed to ply for hire in the Bhor State which merely passes through British territory and neither sets down nor takes up passengers, therein will not require a British license and *vice versa*.
41. Feudatory States of Dhenkanal in Orissa.

THE BOMBAY, MOTOR VEHICLES PLYING FOR HIRE RULES, 1927.

Bombay Government Notification No. 8623 of 10th February, 1927.

No. 8623.—In exercise of the powers conferred by Section 11 of the Indian Motor Vehicles Act, 1914 (VIII of 1914), the Governer in Council is pleased to make the following rules to regulate the use of motor vehicles let or plying for hire in all districts of the Presidency proper outside the City of Bombay, in supersession of all orders issued in respect of them up to now.

I—GENERAL RULES.

1. In these rules *"Motor Vehicle"* shall mean a motor vehicle let or plying for hire.

2. Such of the Bombay Motor Vehicles Rules, 1915 as amended up to 1st April 1925 and subsequently thereto from time to time as are not inconsistent with the provisions of these rules, shall apply to motor vehicles let or plying for hire.

3. (1) *Subjected to the provisions of rule* 7 (5) no motor vehicle shall be let or plied for hire in public places without an owner's permits granted by the District Superintendent of Police. A fee of Rs. 5 shall be charged for the permit and a fee of Rs. 2-8-0 for every renewal or duplicate thereof. Such permit shall be in the form "A" set forth in the schedule appended to this Notification with such variations as the circumstances require. The District Superintendent of Police shall enter on such permit the maximum number of passengers (including driver and also cleaner, conductor, or agent if any), and the quantity of luggage which may be carried at any one time in such vehicle. In the case of vehicles owned by a Company or a partnership, the name of the Manager or Agent should be shown in the owner's permit.

(2) The seating capacity shall be fixed by the District Superintendent of Police in accordance with the scale of the Bombay Motor Department for various types of standard cars. Extra seats may be given provided the body is radically altered so as to give the necessary passenger and luggage accommodation.

4 Subject to rule 5, such permit shall remain in force from the date on which it is granted until the 31st March following

and shall not be transferred to any person without sanction duly endorsed thereon by the District Superintendent of Police.

5. A motor vehicle shall be liable to examination by the District Superintendent of Police or by a Sub-Divisional Gazetted Police Officer specially authorised in that behalf by him at such times as the District Superintendent of Police or the Sub-Divisional Gazetted Police Officer, where such officer, is authorised as aforesaid, may prescribe, and the owner's permit may be suspended or cancelled by him if the vehicle does not comply with the requirements of these rules or with those of the Bombay Motor Vehicles Rules of 1915, as amended up to 1st April 1925, and subsequently thereto, or is not passed by the District Superintendent of Police or the Sub-Divisional Gazetted Police Officer as fit to ply for hire, or is not produced for examination at the time and place prescribed as aforesaid.

6. The owner of a motor vehicle shall maintain regularly a register in the form "C" set forth in the schedule appended to this Notification.

7. (1) A motor vehicle shall not, in any circumstances, be driven by any person other than a driver, who shall carry with him and produce, whenever required by a police officer a public driver's "B" permit, signed by the District Superintendent of Police that he is a competent and careful driver, that he has a thorough knowledge of the rates for hire sanctioned, and that he is in all respect a fit person to be the driver of a motor vehicle to be let or plied for hire.

(2) A public driver's permit will be granted only to a person who already holds an ordinary license to drive which is for the time being in force.

(3) A public driver's permit shall remain in force from the date on which it is granted until the 31st March following, but shall cease to be in force if the holder's license to drive is suspended or cancelled, or expires and is not renewed.

(4) A fee of Rs. 4 shall be charged for the permit and a fee of Rs 2 for every renewal or duplicate thereof. Such permit shall be in the form "B" set forth in the Schedule appended to this Notification with such variations as the circumstances require

(5) An owner's permit or a public driver's permit granted by the District Superintendent of Police of one district shall be valid within the limits of another district provided that it bears the countersignature of the District Superintendent of

Police of the latter district. No fee is payable for such countersignature Such permits may be suspended or cancelled by the latter officer for any breach of the rules or conviction under the Indian Motor Vehicles Act within his district.

(6) The District Magistrate may by order prohibit the driving of motor vehicles or any specified class of motor vehicles on any public road, and no such vehicles shall be driven on any such road while such order is in force.

8. The rates for the fare or hire of a motor vehicle shall be in accordance with a Schedule to be approved by the District Magistrate. The driver of a motor vehicle shall be entitled to charge for detention after having been hired and for any package carried in such vehicle in accordance with the rates fixed by the District Magistrate in that behalf. The rates fixed under this rule shall be exhibited on the motor vehicle.

9 Every motor vehicle intended to be let or plied for hire must be taken to the place appointed by the District Superintendent of Police, or the Sub-Divisional Gazetted Police Officer authorised in that behalf by the District Superintendent of Police, for inspection. The owner or person in charge of such motor vehicle shall at the same time produce a certificate of registration of the motor vehicle under the Bombay Motor Vehicle Rules, 1915, as amended up to 1st April 1925 and subsequently thereto.

10. The brakes shall, so far as possible, be so affixed as to be capable of easy adjustment and at least one brake must be so made as to be applied by the foot of the driver. *The brakes will, at any time, be subject to inspection.*

11. All brakes and steering connections secured with bolts must have such bolts secured with nuts and locked or pinned These parts will, at any time, be subject to inspection.

12. The machinery should be so constructed that no undue noise or vibration is caused, and the vehicles must be fitted with pneumatic tyres.

13. All parts connected by bolts or studs and nuts subject to severe vibration must be fastened by lock nuts or by nuts and approved spring or lock nut washers to prevent their working loose and rattlings and any motor vehicle with lamp brackets, mud-guard brackets and other carriage fittings so loose as likely to cause unnecessary noise will be regarded as unfit for use as a public conveyance.

14. Carburettors must not be placed in close proximity to magnetos or to connections of wires carrying electric current unless they are suitably encased or screened.

15. Effective means must be adopted for preventing the heat of the engine or exhaust pipe connections from injuriously affecting other parts of the motor vehicle or the comfort of the passengers. All wires carrying electric current must be properly insulated and protected from injury and so placed that they cannot be a cause of danger.

16. Tanks for petrol or other liquid fuel must be made of suitable material properly constructed and of sufficient strength. They should be so placed that any overflow shall not accumulate on wood work, or where it can be readily ignited. The filling nozzle or inlet for the petrol or other liquid fuel should, where possible, be brought to the outside of the body.

17. When a guard or tray is fixed underneath, it must be so constructed that any overflow of petrol from the carburettor shall not be retained in the tray.

18. The machinery must be so constructed or placed that oil from the bearings shall not be allowed to drop on the roadway. When trays are fixed to prevent this they must have suitable webs for retaining the oil when ascending or descending hills or be otherwise suitably constructed with that object; the oil must be cleaned but frequently and not allowed to accumulate from day to day.

19. The lubrication of the engine and the carburation of the working mixture must be so controlled that smoke is not ejected with the exhaust or from any other part.

20 The outlet from the silencer should not be so placed as to eject the exhaust directly, on to the road-way, or so placed or so directed, as to alarm animals immediately behind the motor vehicle.

21. Each car must be capable of being readily steered and able to turn on each lock and proceed in a contrary direction within a reasonable space.

22. Provision must be made for the conveyance of a reasonable quantity of luggage and efficient means must be provided for securing it and protecting it against rain. When it is intended to carry luggage on the roof there must also be an approved fixed roof guard rail. The carrying of passengers anywhere except in the seats provided for the purpose is forbidden.

Provided that the District Superintendent of Police may grant exemption from this rule either generally or in particular cases.

The quantity of luggage to be carried free of charge shall not exceed 20 lbs. per passenger.

23. Where acetylene or other gas is used to light the vehicle the cylinders or vessels which contain the gas, or in which it is generated must be fixed outside in such a position as to be removed so far as possible from the danger or accidental ignition.

24. The floor must be covered with mats of rubber, coir or some other suitable material.

25. No printed, written or other matter, other than the sanctioned rates of hire, or these rules, shall appear on the inside or outside of the motor vehicle or be carried by way of advertisement, except such, if any, as may be approved by the licensing authority.

26. Except celluloid windows made in hoods or side curtains, no celluloid or xylonite fittings shall de placed inside or outside the motor vehicle, but this rule does not apply to the inside of the accumulators.

27. The cushions of seats, where such are provided, must be covered and stuffed with suitable material.

28 The doors, windows, seats, roof, springs, cushions, wheels, linings, panels and all furniture and appointments of the motor vehicle must be in-proper order and repair, the paint and varnish in good condition, and the inside perfectly clean.

29 Every motor vehicle shall carry in a prominent position a disc of the size and pattern approved by the District Superintendent of Police showing in white figures on a red ground the number of persons including the driver and cleaner, conductor or agent (if any) which the vehicle is licensed to carry.

The District Superintendent of Police shall indicate the position on the motor vehicle in which the disc should be affixed.

30. The driver when on duty with his motor vehicle shall wear in a conspicuous place on his left breast a metal badge which shall be numbered and supplied to him by the District Superintendent of Police at his cost.

31. The driver shall not transfer or lend his "B" permit

r badge to any person, and on his permit being suspended cancelled or ceasing to be in force the permit and badge hall be surrendered to the District Superintendent of Police

32. As often as the driver changes his residence, both the owner of the vehicle and also the driver shall give notice thereof t the office of the District Superintendent of Police in writing, within one week after such change

33. No vehicle shall be suffered to stand across any street or thoroughfare or opposite the entrance of any street or carriage way.

34. No driver shall, without reasonable excuse, refuse to accept a fare

35. The District Magistrate shall have power to appoint stands or places at which motor vehicles may stand to ply for hire.

36. The drivers of the first two motor vehicles on the stand must stay beside their vehicles and must be ready to be hired at once by any person.

Provided that a hirer wishing to hire any particular car on the stand may do so, but buses are not obliged to start until *there is a full complement of passengers.*

37 Every motor vehicle on the stand must move up as vacancies occur.

38 No motor vehicle engaged for some future time shall remain on the stand unless the driver is willing to accept any intermediate hiring that may be offered.

39. No disabled motor vehicle shall *remain on* the stand unless such disablement is strictly temporary and can be remedied at once. If the disablement is not of such nature the vehicle shall be at once removed for repair.

40. The driver shall be responsible that :—

(a) sufficient petrol is carried on the car for the journey for which it is engaged

(b) a spare rim or wheel complete with tyre and tube ready for immediate use is carried on the vehicle: and

(i) if the vehicle is licensed to carry more than 7 passengers an additional spare serviceable tyre and tube or

(ii) if the front and rear wheels are of different di sions at least one spare serviceable rim or wheel tyre and tube of each size.

41. The driver shall, in the absence of reasonable cause to the contrary, proceed to the destination named by the hirer by the shortest and quickest route.

42. No owner or emplyee and no driver of a motor vehicle shall:—

(a) be drunk during his employment;

(b) make use of insulting or abusive language or gesture;

(c) stand (elsewhere than at some stand or other place appointed for the purpose) or loiter for the purpose of being hired, in or upon any public street or road or place,

(d) refuse to give way (when he reasonably and conveniently may and should do so) to any other vehicle;

(e) wilfully obstruct or hinder the driver of any other motor vehicle in taking up or setting down any person into or from such other vehicle;

(f) wrongly prevent, or attempt to prevent, the driver of any other motor vehicle from being hired;

(g) terminate the hiring before he has been discharged by the hirer;

(h) ply for hire any motor vehicle which is at the time unfit for public use;

(i) shout in order to attract the attention of the public or of a possible hirer or, for any other reason, act in such way as to cause inconvenience or annoyance to the public;

(j) use the motor vehicle or cause it to be used in connection with or for the furtherance of prostitution, or act as a habitual procurer for prostitutes;

(k) carry any passenger or luggage in excess of the number of passengers or the quantity of luggage entered on the owner's permit, under the provisions of rule 3;

(l) except at the request of the hirer, have the face of the taxi-meter, if fitted, covered or obscured at any time or under any circumstances.

43. No driver or owner of a motor vehicle or agent employed on behalf of such driver or owner shall exact or demand more than the proper fare to which he is legally entitled.

44. The driver shall be properly dressed in clean uniform of the description prescribed by the District superintendent of Police.

45. The District Superintendent of Police may in his discretion suspend or cancel any public driver's permit or owner's permit where the holder thereof or his agent has committed any breach of these rules, or been convicted of an offence under the Indian Motor Vehicles Act.

46. The District Superintendent of Police may in his discretion refuse to license any motor vehicle until the owner has taken out an insurance policy to cover passengers' and third-party risks. The amount of such policy shall not be less than Rs. 300 per seat of the vehicle and not less than Rs. 5,000 for any one vehicle, provided that in the case of vehicles licensed to carry fewer than seven passengers the District Superintendent of Police may fix a smaller amount.

47. Every motor vehicle fitted with a taxi-meter must have a light so fixed as to illuminate the taxi-meter at night.

48 No driver of a car fitted with a taxi-meter shall, without reasonable excuse, refuse to accept a fare when the flag is in a vertical position.

49. The driver of every Motor vehicle fitted with a taxi-meter shall, as soon as he is hired and no sooner, set the taxi-meter in motion, and upon the termination of the hiring shall immediately stop the same If he neglects or fails to do so he shall be demeed to have committed a breach of this rule. But if a motor vehicle is called from a garage or stand to take up a passenger at any place less than 500 yards from the garage or stand, the taxi-meter shall not be set in motion until the motor vehicle shall arrive at such place and be ready to take up the passenger.

50. In the event of a motor vehicle fitted with a taxi-meter being unable while hired to proceed from any mechanical or tyre failure, either temporary or otherwise, the driver shall at once lower the flag to "break down" and shall not restart the meter until such time as the defect is remedied.

II.--SPECIAL RULES

For the Thana and Bombay Suburban Districts.

51. (1) Every motor vehicle shall be fitted with an approved style or pattern of taxi-meter to indicate to the

the fare chargeable : Provided that the District Superintendent of Police may grant exemption from this rule either genarally or in particular case.

(2) No taxi-meter shall be affixed to any such motor vehicle unless the seal or mark, if any, approved by the District Superintendent of Police be fixed thereto.

(3) No person shall break or in any way tamper with the seal or mark placed on the taxi-meter, or with intent to deceive, tamper with the taxi-meter.

52. Every taxi-meter shall be tested by the Victoria Jubilee Technical Institute.

53. Evey taxi-meter which passes the test shall be sealed in such a manner that it cannot be opened without removing the seals

54. After the taxi-meter is affixed to a motor vehicle and before the vehicle is let or plied for hire the taxi-meter shall be submitted to the Office of the District Superintendent of Police for the purpose of being examined as to correctness of fittings and to be given a practical road test of about 5 miles and a time test of about 15 minutes. If found to be correct, the whole of the fittings shall then be sealed to the motor vehicle in such a manner that they cannot be removed or tampered with without removing the seal

55 Every taxi-meter shall at least once a year be sent to the Victoria Jubilee Technical Institute to be tested, and as often as the seals are removed for repairs or adjustments or for any other purpose.

56. A fresh road test shall be made by the Motor Vehicles Department each time the meter or transmission gearing is removed or repaired.

For the Kanara District.

57. No motor vehicle let or plying for hire shall ordinarily travel by night on any of the roads within the district except with the permission of the District Magistrate or District Superintendent of Police. This rule does not apply to cars under Postal Contract.

SCHEDULE. FORM A.

Owner's permit for motor vehicle let or ply for hire.

Fee five rupees (Rs. 5).

Renewal fee two rupees and eight annas (Rs. 2-8).

FORM B.

Public Driver's Permit

Fee four rupees (Rs 4).

Renewal fee two rupees (Rs 2).

Photograph of the driver.

FORM C.

Register of Motor Vehicles to be maintained by the owner as per rule 6.

Date	Car No	Name of driver	Place of destination	*Hour of		Remarks.
				Departure.	Return	
1	2	3	4	5	6	7

*The hours of departure and return should be certified by, the initials or thumb impressions of the driver and owner.

CHAPTER III.

The Central Provinces, Motor Vehicles Rules, 1922.

Notification No. 32, dated 13th September, 1922, with amendments upto 1928.

A. PRELIMINARY

1 **Short title, extent and definition.**—These rules shall be called the Central Provinces Motor Vehicles Rules, 1921, and shall extend to the whole of the Central Provinces.

2. In these rules—

(a) **The act** :--means the Indian Motor Vehicles Act, 1914 (VIII of 1914);

(b) **Heavy motor-vehicle** means a motor-vehicle weighing more than one and a half tons unladen or two and a half tons laden.

(c) **Motor cab.**--" Motor cab " means a motor vehicle for hire in any street or public place, " and having seating accomodation for less than eight passengers."

(d) **Motor omnibus.** -" Motor omnibus " means a motor-vehicle, plying for hire in any street or public place and

(e) **Motor-cycle.**—" Motor-cycle " means a self-propelled vehicle running on not more than three wheels, fitted with a seat or seats but without a carriage body, and weighing not more than 5 cwts. :

(f) **Trailer.**--" Trailer " means any vehicle drawn by, or attached to, a motor-vehicle;

(g) **Axle-weight.**--" Axle-weight " means, in relation to an axle of a heavy motor-vehicle or of a trailer, the aggregate weight transmitted to the surface of the road or other base whereon the heavy motor-vehicle or the trailer moves or rests by the several wheels attached to that axle when the heavy motor-vehicle or trailer is loaded ;

(h) **Weight**--The expression " weight " when used in relation to a heavy motor-vehicle or a trailer, means—

(i) when the vehicle or trailer is unladen, the weight of the vehicle, including all parts, equipments, stores, fuel, water and accumulators which are necessary for,

or are ordinarily used with, the vehicle or trailer when working: provided that, where alternative parts or bodies are used, the heaviest shall be taken for the purpose of calculating the weight, and

(*ii*) when the vehicle or trailer is laden, its weight when unladen *plus* its full lawful load including the weight of the driver

(*i*) **Width**—The expression "width" when used in relation to the tyre of a wheel means the distance measured horizontally and in a straight line across the circumference of the wheel and between the two points in the outer surface of the tyre which are farthest apart;

(*j*) **Diameter**—"Diameter," in relation to a wheel means the diameter measured, between the two opposite points in the outer surface of the tyre which are farthest apart;

(*k*) **Registering Authority**.—"Registering authority" means the *District Superintendent of Police each district for his charged

(*l*) **Licensing Authority**.—"Licensing authority" means the *"District Superintendent of Police of the District in which an applicant for a driving license ordinarily resides:

Provided that in the case of military motor-vehicles, registered at Army Head-quarters by the Quartermaster-General in India, when driven by persons who have been enlisted for military service, the licensing authority means the General Officer Commanding, Mhow Division, and, if such General Officer so directs, any officer so directs, a Mechanical Transport Unit acting under him

B.--REGISTRATION

3. (*i*) *"No motor-vehicle shall be used in the Central Provinces (save in accordance with rule 5 or for the purpose of procuring registration)--

(*a*) unless it has been registered by the registering authority as defined in rule 2, clause (*k*), of these rules, and

(*b*) unless the registration certificate granted in respect of it is in force."

Provided that no motor-vehicle which has been registered elsewhere by any registering authority duly appo

*Substituted by amendment No 36 dated 12-6-1924.

under the rules framed under the Act by any Local Government, or under the Mysore Motor Vehicles Regulation No. IV of 1913, or under the law in force for the regulation of motor-vehicle in the Benares State, or under the Hyderabad State Motor Vehicle Act, No. IV of 1329-F or under the Rules framed by the Kashmir Durbar under the Jammu and Kashmir State Motor Vehicle Regulation No. 1 of Sambat 1975," "or under the Rule framed by the Gawalior Durbar under the Gawalior Motor Vehicles Act Sambat 1979" shall be required to be registered in the Central Provinces, so long as it remains in the ownership of the person in whose name it is registered elsewhere, or with the person to whom its ownership is transferred provided that such transfer as duly intimated to the registering authority.

Provided also that no registration of a heavy motor-vehicle other than motor-cab or motor omnibus shall continue in force for a period of more than 12 months from the date thereof and that on the expiration of that period such vehicle shall be re-registered before it is again used in the public place, such re-registration may, however, be effected in continuation of the previous registration on the application of the owner or his agent if made a month before the date of the expiry of the original registration.

Provided, further, that motor-cabs and motor-omnibuses shall be registered annually before such date as may be prescribed by the registering authority.

(*ii*) The registration of any other motor-vehicle shall remain in force as long as it remains in the ownership of the person to whose name it was registered, or with the person to whom its ownership is transferred provided that such transfer is duly intimated to the registering authority.

(*iii*) (*a*) Every application for registration shall contain the particulars specified in Form A appended to these rules.

(*b*) Every Registration certificate granted under sub-clause (*i*) shall be in Form G appended to these rules."

Amendment No. 47 of 9-11-1925.

(*iv*) (*a*) **Fee for registration and re-registration.**—The fee for registration shall be Rs. 4 for a motor-cycle, Rs. 16 for all other motor-vehicles other than heavy motor-vehicles and Rs. 52 for a heavy motor-vehicle. The Registration fee for any motor vehicle which is required under sub-clause (*i*) to be re-registered shall be Rs. 16.

Provided that traction engines used solely for agricultural purposes shall be registered free of charge.

purchaser: Provided that such motor-vehicle shall not ply or be let for hire unless it has been separately registered under rule 3 (*i*) and rule 44.

6. **Transfer of ownership.**—Every transfer of ownership of a motor-vehicle registered under these rules shall within 15 days of the completion of the transaction be reported to the registering authority by the registered owner and by the transferee.

7. **Requirements before registration.**—Before registering a motor-vehicle, other than a heavy motor-vehicle, the registering authority shall be satisfied—

(*a*) that it is provided with two independent brakes or other means of stoppage in good working order and of such efficiency that the application of either is capable of promptly stopping the motor-vehicle whether going forwards or backwards;

(*b*) if such motor-vehicle is propelled by steam, that—

(*i*) it is so constructed as to consume its own smoke as far as practicable;

(*ii*) it is fitted with an efficient "spark arrester";

(*c*) if such motor-vehicle is propelled otherwise than by steam, that it is so used that no smoke or visible vapour is emitted therefrom, except from any temporary or accidental cause.

8 **Additional requirements or heavy motor vehicles.**—Before registering a heavy motor-vehicle the registering authority shall satisfy himself that the vehicle complies with the provisions of rule 7 and with the conditions prescribed by the special rules for heavy motor-vehicles contained in part D of these rules.

9. ***Subsequent defects.***—Where the registering authority at any time after a motor-vehicle has been registered considers, that it has ceased to comply with any of the requirements of these rules or that it has not been maintained in such a condition as to prevent danger, injury or annoyance to the public, such registering authority may, after notice to the registered owner, direct that the registration be cancelled until such time as the defects are rectified to its satisfaction.

C.—GENERAL.

10. **Test for driving license.**—No person shall be granted

unless his qualifications given, in the opinion of the licensing authority, a sufficient guarantee for the safety of the public.

Application for a driving license shall be made in form B appended to these rules to the licensing authority, *i. e*, the District Magistrate of the district in which the applicant ordinarily resides, who may make arrangements for such test as he may think fit ascertain the possession of such qualifications, not only as regards knowledge of driving, but as regards general fitness to the interested with the charge of a motor-vehicle

11 Every license to drive a motor vehicle granted under Section 6 of the Act shall be in Form C appended to those rules and shall remain in force from the date on which it is granted, until the 31st March following but shall be renewable from the date of its expiry and the same provisions shall apply to the renewal of the license as apply to the grant thereof. "Provided that if so desired by the applicant the renewal may be made upon payment of the appropriate fee, for any period not exceeding three years at a time".

Added by Amendment No. 33 dated 7th July 1923.

12 **Fee for license.**—The fee for licenses granted under rule 11 shall be—

(1) For a driving license	...	10 Rs.
(2) For each renewal of driving license of renewal from the date of its expiry.	...	2 Rs.
(3) For a duplicate license	...	1 "

A driving license will not ordinarily be renewed after the date of its expiry, but no person shall be debarred from obtaining a fresh license on payment of Rs. 10 merely by reason of his former license having expired without renewal.

13 **Validity of license granted in other Provinces**—Any such license granted by competent authority in any part of British India or Berar or the Mysore State or the Benares State or the Hyderabad State or the Jammu and Kashmir State or the Guwalior State shall be valid in the Central Provinces.

13-A **Change of address**—(*i*) Intimation of any change of address shall be given by the owner of every motor-vehicle to the registering authority, and in the case of an owner leaving his own province, to the registering authority of the province which the owner proposes visiting. Such intimation shall also be given by every holder of a license to drive a motor-vehicle o the authority empowered to grant licenses.

(*ii*) For the purpose of this rule the address of, such owner or holder shall be deemed to be changed when such person ordinarily resides elsewhere than at the address entered in the certificate of registration or driving license.

14. **Rule of the road.**--Every motor-vehicle shall be driven on the left of the road except in passing other vehicles going in the same direction, which shall be passed on the right of the road.

15 **Person learning to drive.**--No person shall, in any public place of street, learn to drive a motor-vehicle unless accompanied by a licensed driver.

16. (1) The District Magistrate may, from time to time, if he deems it necessary for the prevention of danger, injury, annoyance or inconvenience to the public or any person, or for the prevention of danger or injury to any property, or for the prevention of injury to any road which is the property of Government or of any local authority--

(*a*) limit the speed at which motor vehicles generally or any class of motor vehicles may be driven, or

(*b*) prohibit motor traffic or any class of motor traffic altogether, or subject it to such restrictions as he may prescribe.

in any specified public road or other public place.

(2) All orders of the District Magistrate under this rule shall be made known to the public by notice conspicuously posted on the road or place concerned, and, in the case of a permanent limitation, prohibtion or restriction, also by a notification in the *Central Provinces Gazette.*

(3) No motor cab or motor omnibus and no motor vehicle other than a private motor vehicle used for the conveyance of passenger and their necessary personal baggage shall be driven on any unmetalled public road. No. 49, dated the 17th February 1925.

17. **Motor vehicle to carry horns**--Every person driving a motor vehicle shall have ready and available for immediate use a deep-toned horn or other, instrument capable of giving audible and sufficient warning of his approach or position, and shall sound the same whenever expedient to prevent danger to any person

18 **Motor vehicles to carry lamps.**--No person shall drive a motor vehicle during the period commencing half an hour

after sunset and ending half an hour before sunrise unless such vehicle is provided with lights as follows :—

(1) in the case of vehicles other than motor-cycles—

(*a*) two lamps showing a white light in front, affixed one on each side of the front portion of the vehicle;

(*b*) one lamp showing a red light at the rear and a white light at the side and affixed at the back of the vehicle in such manner as to illuminate with the white light and render easily distinguishable the letters and distinguishing numbers prescribed by rule 4.

(2) In the case of motor cycles :—
one lamp showing a white light in front affixed to the motor-cycle and at the rear one lamp showing a red light or a red reflex mirror.

(3) In all cases—

(*a*) the lamps shall be of suitable character and illumination,

(*b*) the lamps shall be kept burning brightly;

(*c*) where acetylene or electric lamp or lamps of any description giving a powerful and intense light [illegible] used, the registering [illegible] authorities in towns, [illegible] be properly hooded or screened.

19 Maintenance of motor-vehicles in proper condition.—Every motor vehicle shall be maintained—

(1) so as to prevent, as far as possible, all danger of fire or explosion;

(2) so as not to frighten by its noise any animal, whether ridden or driven, and

(3) so as not to give rise to any other cause of danger to traffic, or seriously to inconvenience, by the emission of vapour or smoke, any person using the road.

20. Conditions on which motor-vehicle may be left unattended in public place.—No motor-vehicle shall be allowed to stand in any street or public place unattended by a person licensed under Section 6 of the Act, unless all reasonable precautions have been taken to ensure that it cannot be put in motion in the absence of the driver, or, if such motor-vehicle is propelled by steam, unless the fire or ther source of hea [illegible]ed

for generating steam has been extinguished and it has ceased to contain in itself sufficient power to move.

21. **Driving backwards**--The driver of a motor-vehicle shall not cause the vehicle to travel backwards for a greater distance or time than may be requisite for purposes of safety or in order to turn round.

22 **Register to be kept by manufacturer or dealer.**—A manufacturer of or a dealer in, motor-vehicles shall keep a register in such form as the registering authority may direct showing the description of the vehicle used, the name of the driver and the hours and dates on which he was in charge of the vehicle.

Such register shall be open to inspection on the demand of any police officer of or above the rank of Sub-Inspector

23. **Motor competitions or reliability trials.**--No motor competition, reliability trial, display, or exhibition in which more than five motor-vehicles take part, and no race between two or more motor-vehicles shall be permitted on any public road without the previous sanction of the Local Government.

23-A **Endorsements on licenses and permits.**—Every endorsement, together with any convictions endorsed on a license under Section 18 (2) of the Indian Motor Vehicles Act, and every endorsement on an owner's or driver's permit made under rule 52 of these rules shall be reported by the authority making the endorsement to the office which issued, the license or permit endorsed, and record shall be kept in all such offices of such endorsements. This record must be consulted whenever an application is made for issue of a duplicate license or permit.

23-B All licenses to drive a motor-vehicle issued under these rules shall bear the signature of the licensee or his thumb-impression as the licensing authority may think necessary.

23-C —The District Magistrate may at his discretion suspended, cancel any licence or permit granted under these rules where the holder thereof has committed any breach of these rules or any condition imposed under these rules, or has disobeyed or disregarded any lawful order made under the Act or under these rules, and the order of such suspension or cancellation shall be endorsed on the licence.

D.—Special Rules for Heavy Motor-vehicles.

(1) Provisions applying to all heavy motor-vehicles

24 **Weights to be exhibited on heavy motors.**--The owner of every heavy motor-vehicle or trailer shall clause—

25 (1) No heavy motor vehicle shall be driven on a public road except with the special permission of the Local Government and subject to such conditions as the Local Government may from time to time impose, either by notification in the *Central Provinces Gazette* or by entry in the certificate of registration.

(2) Every application for such special permission shall be made through the District Magistrate to the Secretary to the Local Government in the Public Works Department and shall be accompanied by the certificate of registration relating to the motor vehicle.

(3) The permission given under this rule shall be produced by the driver whenever demanded by a Police officer." No. 48, dated the 17th February 1925.

26. **Use of bridges.**—The person in charge of a heavy motor vehicle shall not drive it upon any bridge at any time when an other heavy motor vehicle is on the bridge, unless a notice has been affixed to the bridge by the authority in charge of it permitting more than one heavy motor-vehicle to occupy it at the same time.

27. **Halting on left hand side of road.**—A heavy motor vehicle when halted on a road shall be drawn up on the left side of the road.

28 **Prohibition against driving after dark.**—No heavy motor-vehicle shall be driven in any public place during the period commencing half an hour after sunset and ending half an hour before sunrise, unless the provision of this rule has been relaxed by the Local Government for any specified public place.

29. **Limitation of number of heavy motors on any road.** On any public place on which heavy motor-vehicles are regularly used for the conveyance of merchandise, it shall be competent for the Local Government to limit the number of such

30. **Prohibition against roads being used by motors in both directions at one time.**—When the Local G

ment is of opinion that it would be attended with danger or inconvenience to the public to allow heavy motor-vehicles to be driven on any public place in both directions at the same time, it shall be competent for the Local Government by notification to specify the hours between which heavy motor-vehicles may be driven in one direction and the hours between which they may be driven in the other.

31. **Precautions necessary in blowing off steam.**—The cylinder taps of a heavy motor-vehicle propelled by steam shall not be opened within sight of any person riding, driving, leading or in charge of any horse upon the road or street nor when the vehicle is upon the road or street shall the steam be allowed to attain a pressure in excess of that for which the safety vavle is fixed, thereby causing steam to blow off.

32. **Exception of Army heavy motors.**—Nothing in part D of these rules shall apply to heavy motor-vehicles registered at Army Head-quarters by the Quartermatser-General in India, when driven by persons who have been enlisted for military service and when driven under the order of the competent military authority.

33. **Exceptional use of roads by heavy motors not complying with rules.**—Nothing in these rules shall be deemed to prohibit the occasional use of a public place by a heavy motor-vehicle which does not comply with the conditions prescribed in form D appended to these rules, when the person in charge of such heavy motor-vehicle has obtained permission from the authority in charge of the public place to drive the heavy motor-vehicle on it and when he has agreed to such conditions as the authority may perscribe

(2) *Provisions applying to heavy motor-vehicles fitted with pneumatic or solid rubber compound tyres.*

34. **Registration.**—No such heavy motor-vehicle shall be registered by the registering authority which does not comply with the specifications prescribed in form D appended to these rules.

35. **Speed limit.**—No such heavy motor-vehicles shall be driven on any public place at speed exceeding that specified below:—

Weight of car unladen	Speed.
Not exceeding two tons	12 miles per hour
Not exceeding three tons	10 " " "
Exceeding three tons	8 " " "

(2) *Provisions applying to heavy motor-vehicles not fitted with pneumatic or solid rubber compound tyres.*

36. **Restrictions on certain heavy motors.**—No heavy motor-vehicle fitted with other than pneumatic or solid rubber compound tyres shall be registered by the registering authority if its weight unladen, exceeds 5 tons or if the tyres of its wheels are fitted with any projections likely to cause damage to the surface of the road.

37. **Width of tyre.**—The width of the tyres of such heavy motor-vehicles shall not be less than that number of half inches which is equal to the number of units of axle-weight of the axle to which the wheel is attached.

The unit of the axle-weight shall be determined according to the following formula:—

(*i*) if the wheel is 3 feet in diameter, the unit of axle-weight shall be 7½ cwts.;

(*ii*) if the wheel exceeds 3 feet in diameter, the unit-weight shall be 7½ cwts., with an addition of weight in the proportion of one hundredweight for every 12 inches by which the diameter is increased beyond 3 feet; and in the same proportion for any increase which is greater or less than 12 inche ; and

(*iii*) if the wheel is less than 3 feet in diameter, the unit of axle-weight shall be 7½ cwts. with a deduction of weight in the proportion of one hundredweight for every 6 inches by which the diameter is reduced below 3 feet; and in the same proportion for any reduction which is greater or less than 6 inches.

38 **Traction engines for agricultural purposes.**--Traction engines, required solely for agricultural purposes, shall not be driven on any road unless their wheels comply with the requirements of rules 36 and 37: provided that they may be driven on a road when going from place to place for agricultural operations

39 **Speed limit of such motors.**--No such heavy motor-vehicle shall be driven in any public place at a speed exceeding 6 miles an hour.

(4) *Provisions applying to Trailers.*

40 **Design of Trailers.**--Every trailer attached to a heavy motor-vehicle shall have a brake approved by the registering authority and shall be so designed that it follows the track of the heavy motor-vehicle to which it is attached.

41. **Weight of trailers loaded**.—No trailer shall exceed 5½ tons in weight when loaded.

42. **Number of trailers.**—No heavy motor-vehicle used in public place shall have attached to it more than two trailers:

Provided that for the class of heavy motor-vehicle described in rule 36 above the number of trailers may be increased to three, but the total length of heavy motor and trailers shall not exceed 75 feet when in motion.

Provided further that the Local Government may for any specified public place prohibit the attachment of any trailer or reduce the number allowed when in its opinion it is necessary to do so in the intrest of the safety or convenience of the public. Provided further that—

43. **Prohibition of attaching trailer to public conveyance.**—No trailer shall be attached to a heavy motor-vehicle which is used for the conveyance of passengers.

E.—SPECIAL RULES APPLYING TO MOTOR-CABS AND MOTOR-OMNIBUSES.

44. **Owner's permit**:—No motor-vehicle shall be let or plied for hire in any district of the Central Provinces without an owner's permit granted by the District Magistrate of the district or of one of the districts in which it is let or plier for hire or by the District Magistrate of a district of Berar in which it is let or plier for hire. Such permit, for which Rs. 15 shall be charged, shall be in form E appended to these rules and shall not be granted unless the District Magistrate is satisfied that the motor-vehicle complies with all the provisions of these rules. It shall specify the number of passengers which may be carried in the motor-vehicle and that number shall be exhibited on a conspicuous place on the car.

45. **Period of permit and fee.**—Subject to rule 46 such permit shall remain in force from the date on which it is granted until the 31st March following and may be renewed for each succeeding year on payment of a fee of Rs. 5 in continuation of the previous permit if the owner or his agent so desires on his submitting an application under these rules a month in advance of the date of expiry of that period. It shall not be transferred to any person without sanction duly endorsed thereon by the District Magistrate. For duplicate permit a fee of Re. 1 will be charged.

46 **Examination of vehicles.**—Such a motor-vehicle shall be liable to examination at such times as the District Magistrate may prescribe and by such person as he may appoint for the purpose.

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shall be affixed in a conspicuous place to every motor-vehicle let or plying for hire.

51. **Conduct of Driver.**—No driver of any motor-vehicle shall—

(*i*) be drunk during his employment ;

(*ii*) make use of insulting or abusive language or gesture ;

(*iii*) permit more than the number of passengers entered in the owner's permit to occupy the vehicle at one time ;

(*iv*) exact or demand more than the proper fare, as set forth in the schedule of rates or as agreed upon by the owner and the hirer, if a lump sum contract has been agreed upon ;

(*v*) terminate the hiring before he has been discharged by the hirer ;

(*vi*) ply for hire any motor-vehicle which is at the time unfit for any public use ;

(*vii*) refuse subject to clause (*vi*) above to carry any passenger not suffering from an infectious or contagious disease.

52 **Repealed**—Vide No. 43, dated 17-2-1925.

53. **Effect of permits.**—The permits granted under rule 44 or rule 47 shall be deemed to be license granted under the Act.

54 Every motor omnibus shall besides a driver carry a conductor whose duty shall, in addition to any specially mentioned, be to attend on the passengers and to see to the fulfilment of the Motor Vehicles Rules in all cases where the driver is not held responsible according to law.

55 Every conductor shall immediately after the completion of a trip carefully search for any property accidentally left in the motor omnibus and shall take the same within the 24 hours, if not sooner claimed by the owner, to the nearest police station.

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55. Every conductor shall immediately after the completion of a trip carefully search for any property accidentally left in the motor omnibus and shall take the same within the 24 hours, if not sooner claimed by the owner, to the nearest police station.

56. No person under the age of eighteen years shall act as a conductor of a motor omnibus in any public place.

57. No person shall act as a conductor of a motor omnibus unless he has from the proprietor of the onnibus a written authority which he should always retain while on duty.

He shall exhibit such writing on demand to any police officer of the rank of Sub-Inspector or above or to any Magistrate of or above the second class.

58. Every driver or conductor of a motor omnibus shall be in clean dress while on duty

CHAPTER IV.

THE MADRAS MOTOR VEHICLES RULES, 1923.

As amended up to 1928.

1. Title, extent and definitions.—(1) These rules may b called the Madras Motor Vehicles Rules, 1923.

(2) They shall extend to the whole of the Madras Presi dency.

(3) In these rules—

(a) 'Light motor vehicle' means a motor vehicle which is not a heavy motor vehicle as defined in rule 31.

(b) 'Motor bus' means a motor vehicle which is let or plies for hire and has seating accommodation for eight or more passengers including the driver.

(c) 'Motor cycle' means a two, three or four-wheeled motor vehicle fitted with a seat or seats but without a carriage body (which includes a side car) and weighing not more than 5 cwts.

(d) 'Registering authority' and 'licensing authority' means the Commissioner of Police in the city of Madras and District Superintendent of Police elsewhere.

2. Registration.—(a) No motor-vehicle shall be used or allowed to be used in a public place unless it has been registered in accordance with these rules or any other rules under the Act having application to the Madras Presidency.

Provided that no person shall be liable to penalty for breach of this rule if the motor vehicle was being used in a public place for the purpose of being registered in accordance with these rules.

Provided further that every motor vehicle which was registered under the rules formerly in force under the Madras Motor Vehicles Act, 1907, such registration being still in force on the date from which these rules take effect, shall be deemed to have been registered under these rules.

(b) Any registration certificate granted under any enactment for the time being in force in any part of British India other than the Presidency of Madras or in any State in India

included in Schedule A shall be valid in the Presidency of Madras until the date of its expiry.

3. **Procedure in respect of registration.**—Every application for registration shall contain the particulars entered in Form A annexed to these rules.

4 Every registering authority shall keep a register in Form B annexed to these rules and shall, on receipt of an application containing the particulars required by rule 3 for the registration of a motor vehicle, and on payment of the prescribed fee, unless some reason to the contrary exists, assign a separate number to the motor vehicle, register it, and issue to the applicant a certificate of registration in Form C annexed to these rules. If the registering authority declines to register the vehicle, he shall record his reasons in writing and shall communicate them to the applicant.

5. **Fee for Registration.**—The fee payable in respect of registration shall be—

	Rs.
(i) For motor cycles below 3½ horse-power ...	4
(ii) For other motor-cycles and for motor-cycles with side cars...	8
(iii) For light motor-vehicles to which trailer is attached	20
(iv) For all other motor vehicles except those provided for by rule 33	16

The registration of light motor vehicles to which a trailer is attached shall continue in force for a period not more than 12 months from the date thereof. Registration may be renewed annually on the payment of a fee of Rs. 4.

6. **Transfer of ownership.**—Every transfer of ownership, and every transfer of possession, whether temporary or otherwise, of a motor vehicle registered under these rules, must forthwith be reported to the registering authority by the registered owner and the transferee.

[illegible] egistered owner
[illegible] report the new

8. **Validity of registration certificates.**—Certificates of registration granted under these rules shall be valid throughout the Madras Presidency.*

*Note —Under the corresponding rules in force in other Provinc[es] certificates of registry in Madras are accepted as valid there also.

9. **Motor vehicles of manufacturers and dealers.**—In the case of a manufacturer of, or dealer in, motor vehicles, a general number to be used on any motor vehicle, belonging to such manufacturer or dealer, on trial after completion or on trial by an intending purchaser, may be assigned by the registering authority on payment of an annual fee of Rs. 30.

10 Such manufacturer dealer shall distinctly mark very such vehicle by a different letter of the alphabet following the dealer's general number under rule 9. He shall keep in such form as the registering authority may direct, a register showing the name of the driver in charge of each of the motor vehicles when allowed to leave his premises and the hours and dates on which he was in charge of the vehicle. Such register shall be open to inspection on demand by any police officer of or above the rank of sub-inspector.

11. **Distinguishing Marks.**—The distinguishing letter or letters prescribed for registering authorities under these rules shall be as shown below :—

AG for Agency Division.	GO for Godavari.	RD forRamnad.
AJ ,,Anjengo.	GU ,,Guntur.	S ,, Salem.
AN ,,Anantpur.	KI ,,Kistna.	SA ,, South Arcot.
BE ,,Bellary.	KU ,,Kurnool.	SK ,, South Kanara.
CH ,,Chingleput.	MC ,,Madras City.	
CO ,,Coimbatore	MD ,,Madura.	TAN,, Tanjor.
CT ,,Chittoor.	ML ,,Malabar.	TIN ,, Tinnevelly.
CU ,,Cuddapah.	MN ,,The Nilgiris.	TRI ,, Trichinopoly.
GA ,,Ganjam.	NA ,,North Arcot.	V ,, Vizagapatam.
	NE ,,Nellore.	

12. Whenever a motor vehicle is in a public place, the number assigned thereto by the registering authority, preceded by the distinguishing letter or letters denoting that authority, shall be shown in a prominent position both at the front and rear of the motor vehicle The letters and numbers shall be shown in white on a black ground : they shall be in an upright position and shall be not less than 3½ inches high and perfectly legible.

Provided that in the case of motor-cycles, with or without side-cars attached, they may be not less that two inches in height
[illegible] plicate faces and
[illegible] t from whichever
[illegible] on one or other

13. Whenever a motor vehicle is in a public place, the distinguishing marks prescribed in the preceding rule shall not in any way be obscured or rendered or allowed to become not easily discernible at a reasonable distance. In the case of a motor vehicle let or plying for hire the conductor of such vehicle or if there be no conductor the driver shall be held responsible for observing this provision.

14. **Conditions of registration of motor vehicles.**--Before registering a motor vehicle, the registering officer shall be satisfied that the following conditions are satisfied :—

(1) The motor vehicle, if it exceeds in weight unladen 7 cwt., must be capable of being so worked that it may travel either forwards or backwards

(2) The motor vehicle must have to independent brakes in good working order and of such efficiency that the application of either will promptly stop the motor vehicle.

(3) The motor vehicle and all its fittings must be in such a condition as not to cause, or be likely to cause, danger to any person.

(4) The motor vehicle must be so constructed and used that no smoke visible vapour or incandescent material is emitted therefrom in such quantity as to cause annoyance or danger to the public except from some temporary or accidental cause.

[illegible] ;er, expan- [illegible] reducing [illegible] is caused [illegible] by the escape of the exhaust gases from the engine.

(6) If the motor vehicle is propelled by steam, it shall consume its own smoke and shall be fitted with efficient spark arresters.

15. **Subsequent Defects.**--Where any District Superintendent of Police or the Commissioner of Police at any time after a motor vehicle has been registered, has reason to believe that it has ceased to comply with the requirements of the Act or the rules made thereunder, or that it is not maintained in such a condition as to prevent danger to the public, such officer may, after notice to the registered owner, direct that the registration be cancelled until such time as the defects are rectified to his satisfaction. Where such officer himself is not the authority who registered the vehicle, he shall report the fact that registration has been cancelled to the authority who registered the vehicle.

16. **Lights.**--(*a*) No person may cause or permit a vehicle to stand or be used in a public place between half

hour after sunset and half an hour before sunrise, or may drive a motor vehicle when so used, unless it ,carries three lighted lamps of suitable design and illumination and so attached thereto as to prevent their movement, one of which shall be attached on either side of the front of motor vehicle, exhibiting a white light in the direction in which the motor vehicle is proceeding or is intended to proceed, and the third at the back of the vehicle exhibiting a red light in the reverse direction and a white light at right angles thereto so placed and so efficient as to illuminate and render easily distinguishable the registered number of the motor vehicle at a reasonable distance.

Provided that in the cause of a motor cycle one head-light exhibiting a white light in the direction in which the motor-cycle is proceeding, so placed and so efficient as to illuminate and render easily distinguishable the registered number of the motor-cycle, and one red rear light exhibiting a red light in the reverse, direction or a reflector so constructed and attached to the motor-cycle as to reflect a red light from any light carried on another vehicle approaching from behind shall be carried

When a side-car is attached to such motor-cycle the side-car shall also carry a white light showing to the front.

(*b*) The District Magistrate or the Commissioner of police, as the case may be, may, by notice published in the District of Gazette or the *Fort St. George Gazette*, prohibit within any local limits—

(*i*) the use of acetylene or electric lamps of any description giving a powerful and intense light, or

(*ii*) the use of such lamps unless they are properly hooded or screened to the satisfaction of the District Magistrate or the Commissioner of police as the case may be.

(*iii*) the use of hurricane lamps or lamps of any other description, which, in the opinion of the District Magistrate or the Commissioner of police, as the case may be, do not give sufficient illumination.

17. Use of cut-outs and similar devices.—No cut-out, fitting or other apparatus or device which will allow the exhaust gases from the engine of the motor vehicle to escape in to the atmosphere without first passing through a silencer, expansion chamber or other contrivance suitable and sufficient for reducing, as far as may reasonably be practicable, the noise which would otherwise be caused by the escape of the said

gases shall be used in any place, road or street where the use of such devices has been prohibited in the City of Madras by the Commissioner of Police and elsewhere by the District Magistrate.

18. **Use of horns, sirens and whistles**—Every person driving a motor vehicle in a public place shall have ready, and available for immediate use a suitable horn capable of giving sufficient warning of the approach or position of the motor vehicle. Provided that no siren nor any form of horn or whistle worked off the exhaust nor any horn sounding more than a single note shall be used in any place, road or street where the noise of such devices has been prohibited in the City of Madras by the Commissioner of Police and elsewhere by the District Magistrate.

19. **Driving licences.**—A licence to drive a motor vehicle or motor-cycle may be granted in the City of Madras by the Commissioner of Police on production of satisfactory evidence that the applicant has previously held a similar licence free from endorsement of the kind referred to in Section 18 of the Motor Vehicles Act, 1914; or a driver's certificate issued by the South Indian Motor Union or any other body or individual who may, from time to time be notified in the *Fort St. George Gazette*, as being competent to issue driver's certificates acceptable to the Commissioner of Police for the purpose of this rule or on being otherwise satisfied that the applicant is a thoroughly competent driver. In the mufassal, licences may be issued by the District Superintendent of Police to such persons who can satisfy him personally that they are thoroughly competent drivers or possess clean driving licences issued by some other licen-ing authority. In the case of professional drivers of motor vehicles every change of address shall be notified to the officer issuing the licence or last renewing it.

19-A. An application for a driver's licence shall be in form D and shall contain a full and true statement of the particular stated therein. When the application is from a person who drives for remuneration or for hire it shall be accompanied by two small unmounted photographs of the applicant, one of which shall be affixed to the licence and sealed in such a way as to prevent fraudulent substitution and the other shall be kept attached to the application in the office of the licensing authority.

On the issue of every licence the left thumb impression of an illiterate applicant shall be taken on the application on the licence granted.

20. Every licensing authority shall keep a register of driving licences in form E annexed to these rules and on receipt of the prescribed fee, and subject to the provisions of the rule following, shall unless the applicant is disqualified under Sections 3 (*i*), 18 (1) (*ii*) or 18 (6) of the Act or under any other Act or rule having the force of law for the time being in force, grant him a licence in form F annexed to these rules to drive the class or classes of vehicles mentioned in the application.

21. **Provisional licences.**—No licence shall be granted until the applicant has satisfied the licensing authority as to his ability to drive the class or classes of motor vehicle mentioned in the application without danger to the public safety. Provided that an applicant who wishes to undergo instruction in driving may be given a provisional licence to drive in form F_2, one condition of which shall be that when so driving he shall invariably be accompaniod by the holder of a substantive licence.

22. **Validity of licences.**—(*a*) Every licence granted or renewed under these rules shall, subject to the provisions of the Act as regards cancellation and suspension, be in force for one year from the date of issue and shall be valid throughout the Madras Presidency.* Licences presented after the date of expiry will not be renewed and new licences only will be issued.

(*b*) A driving licence granted in accordance with any rule in force for the time being in any province of British India or in any State in India included in Schedule B shall be valid up to the date of expiry throughout the Presidency of Madras.

23. **Fees for the grant of licences.**—The fee for the grant of a new licence and the renewal of a licence already granted shall be Rs. 5 and Rs. 3 respectively. On sufficient cause being shown, a duplicate thereof may be granted by the original licensing authority on payment of a fee of Rs. 10. The word "*Duplicate*" shall be clearly shown in red ink across a duplicate licence.

24. **Leaving motor vehicles in public places.**—No person in charge of a motor vehicle shall allow it to stand in a public place so as to cause or be likely to cause unnecessary obstruction to traffic, nor unattended by a person licensed under the Act unless all reasonable precautions have been taken to prevent its moving or being moved.

25. **Speed limits.** The local Government may by notification in the official Gazette prohibit the driving of Motor vehicles altogether in any public place or places or may restrict the driving of Motor vehicles in such place or places to such maximum speed as may be indicated upon notice boards erected at the limits of such public place or places.

25-A. The speed of a light motor vehicle to which a trailer is attached shall not exceed fifteen miles an hour.

26. **Rules of the road.** (*a*) A motor vehicle shall be driven in accordance with the rules of the road which require a vehicle to keep on the left of the road except when passing horses and other vehicles going in the same direction which should be passed on the right and provided that it should ordinarily pass a tram-car on the left or near side whether it be going in the same or the contrary direction.

(*b*) The driver of a motor vehicle, when turning into a side street, if to the left, shall keep close to the corner, if to the right shall make a wide curve. He shall further when about to turn to the right or left hold out his right or left arm horizontally to the right or left of the vehicle and when about to stop raise his arm vertically, palm to the front; when making a turn he shall invariably sound his horn. Further, when approaching cross roads, he shall sound his horn and indicate with his arm the direction in which he intends to proceed.

(*c*) A motor vehicle entering a main road from a branch or side road shall enter the main road slowly, give way to the vehicles travelling on the main road and sound horn

27-A. **Drivers to obey directions of police officers and report accidents** -- The driver of a motor vehicle shall obey every direction of a police officer for the time being in charge of the regulation of traffic in any public place.

27-B The direction to be given by a Police Officer in charge of traffic control shall be as follows —(1) To stop a vehicle approaching him from the front-arm held above the head, palm facing the vehicle; (2) to stop a vehicle approaching him from the rear-arm held out horizontally at full length from the shoulder; (3) to motion vehicles to proceed in a certain direction-arm moved with a circular motion from the vehicle to the direction in which it is to proceed; (4) at night in any such manner as the licensing authority may direct.

27-C The driver of a motor vehicle shall promptly report all occurrences of accidents to the nearest police station, vide notification No 832 dated 3-12-1925.

28. Competition and reliability trials, etc.—No competition, reliability trial, display or exhibition shall be permitted in a public place without the written permission of the District Superintendent of Police or in the City of Madras, of the Commissioner of Police, who may impose such special restrictions as he may think fit.

29. Drivers of motor cycles not to carry passengers or two other cyclists.—Within the limits of the City of Madras or of any District Municipality, no driver of a motor cycle shall carry a passenger thereon nor shall he to anyothor cyclist thereby.

29-A (1) Subject to the exception mentioned in sub rule (2) and in the case of heavy motor vehicles to that mentioned in rule 39 no other vehicle shall, within the limits of the City of Madras or of any district Municipality, be attached to, or drawn by, a motor vehicle.

(2) One trailer may be attached to a privately owned light motor vehicle other than a motor cycle if the following conditions are fulfilled, namely :—

(*a*) the maximum width of the trailer or its load does not exceed the width of the light motor vehicle by more than one foot;

(*b*) it carries a number plate and light at the back as prescribed in rules 12 and 16 (*a*); and

(*c*) the trailer is constructed with suitable and sufficient springs between each axle and the frame and has an efficient brake and the coupling is rigid and so constructed as to bear the strain put on it.

30. Letting or plying for hire. (1) Motor vehicles which are intended to be let or to ply for hire in any local area or along any public road in the Presidency shall possess special permits in Form G annexed to these rules granted by the Commissioner of Police in the City of Madras or the District Magistrates elsewhere, and shall be subject to the conditions prescribed in such permits.*

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*In the case of a motor vehicle owned by a resident of an Indian State and regularly plying for hire from one place to another, one of the termini being in that State and the other in the Madras Presidency a permit in Form G shall be taken from a proper authority in this Presidency. No separate registration or licensing will, however, be necessary.

(2) Every motor vehicle which is let or plies for hire shall be registered annually.

(3) The fee payable for the first registration of such motor vehicle shall be Rs. 16 and the fee payable for renewal of registration shall be Rs. 8.

(4) In addition to the license referred to above, all motor vehicles which are intended to be let or ply for hire in areas under the control of local boards shall obtain such licences from the Presidents of the District Boards concerned as may from time to time be prescribed under the Madras Local Boards Act, 1920.

(5) If for any reason to be recorded in writing the President, District Board, refuses to license a motor vehicle thus preventing the vehicle from being used for hire, the fees collected under rule 30 (3) shall be refunded.

30-A. **Motor buses and conductors.**— Every motor bus shall besides a driver carry a conductor whose duty shall, in addition to any specially mentioned, be to attend on the passengers and to see to the fulfilment of the Motor Vehicles Rules in all cases where the driver is not held responsible according to law.

30-B. Every conductor shall immediately after the completion of a trip carefully search for any property accidentally left in the bus and shall take the same within 24 hours, if not sooner claimed by the owner, to the nearest police station.

30-C. No person under the age of eighteen years shall act as a conductor of a motor bus in any public place.

30-D. No peron shall act as a conductor of a motor bus unless he has from the proprietor of the bus a written authority which he should always retain while on duty. He shall exhibit such writing on demand to any police officer of the rank of Sub-Inspector or above or to any Magistrate of or above the second class.

30-E. Every driver or conductor of a motor bus shall be in clean dress while the duty.

NOTE.—"In the City of Madras every driver and conductor of a motor bus shall be properly dressed in clean uniform of the description to be approved by the Commissioner of Police." Vide No. 685 Dated 4-9-1926.

30-F. "The driver of a bus shall wear in a conspicuous place on his left breast a numbered badge supplied to him free by the Commissioner of Police, or the District Superintendent

Police, as the case may be, on an application made by the driver accompanied by the order of the proprietor appointing him as driver.

"The driver shall surrender such badge on his *ceasing to* drive that particular bus, or on his licence being suspended or cancelled, or becoming time expired or on the 'G' permit being cancelled If the badge is lost or not returned the driver shall be liable to pay a charge of one rupee to the Commissioner of Police or the District Superintendent of Police as the case may be." Vide Notification No. 832 Dated 3-12-1925.

NOTE. "In the case of a motor vehicle owned by a resident of an [illegible] g for hire from one place to anoth[illegible] that State and the other in the M[illegible] form G, under rule 30 and a licence under Section 166 of the Madras Local Boards Act, if the vehicle passes through the roads under the control of any district board, shall be taken from the proper authorities in this Presidency. No separate registration certificate under rule 2 of the Motor Vehicles Rules or driving licence under rule 19 will, however, be necessary." Vide Notification No. 384 dated 14-5-1926.

HEAVY MOTOR VEHICLES.

The following additional rules shall apply to heavy motor vehicles:—

31. **Definitions** —In these additional rules—

(*a*) the expression "heavy motor vehicle" means a motor vehicle exceeding two tons in weight unladen;

(*b*) the expression "trailer" means any vehicle drawn by or attached to a heavy motor vehicle;

(c) the expression "axle-weight" means, in relation to an axle of a heavy motor vehicle, the aggregate weight transmitted to the surface of the road or other base whereon the heavy motor vehicle on trailer moves or rests, by the several wheels attached to that axle when the heavy motor vehicle, or the trailer is loaded;

(*d*) the expression "registered axle-weight," in relation to an axle of a heavy motor vehicle, means the axle weight of that axle as registered by the registering authority in pursuance of the rules;

(*e*) the expression "weight," when used in relation to a heavy motor vehicle or trailer attached to it means (*i*) when the

vehicle or trailer is unladen, the weight of the vehicle including all parts, equipment, stores, fuel, water and accumulators which are necessary for, or are ordinarily used with, the vehicle or trailer when working: provided that where alternative parts or bodies are used, the heaviest shall be taken for the purpose of calulating the weight; and (*ii*) when the vehicle or trailer is laden, its weight when unladen plus its lawful load including the weight of the driver;

(*f*) the expression "width," in relation to the tyre of a wheel, means the distance measured horizontally and in the straight line across the circumference of the wheel and between the two points in the outer surface of the tyre which are farthest apart,

(*g*) the expression "diameter," in relation to a wheel, means the diameter measured between the two opposite points in the outer surface of the tyre which are farthest apart

32. Additional particulars to be furnished with application for registration.—In addition to the particulars prescribed by rule 3 above, the following particulars shall be furnished with an application for the registration of a heavy motor vehicle.—

(1) weight of heavy motor vehicle or trailer, unladen

(2) axle-weight of each axle;

(3) diameter of each wheel.

33. Fee for registration:—The fee payable in respect of registration of a heavy motor vehicle shall be Rs 32 Such registration shall continue in force for a period of not more than twelve months from the date thereof. Registry may be renewed annually on payment of a fee of Rs 16.

34. Special conditions to be fulfilled.—The registering authority shall decline to register a heavy motor vehicle unless he is satisfied that it fulfils all the conditions special to heavy motor vehicles laid down by rules made under the Act, and in order that he may so satisfy himself he may require the production of the heavy motor vehicle at such time and place as he thinks fit and may also cause the weight of the heavy motor vehicle and the axle-weight of each axle to be ascertained in such manner as he may by general or special order direct.

REGISTERING AUTHORITY MAY CAUSE THE AXLE-WEIGHT FOR THE TIME BEING OF ANY AXLE OF A HEAVY MOTOR VEHICLE TO BE ASCERTAINED.

35. When the registering authority or any officer duly authorized by him in this behalf has reasonable ground for suspecting that the axle-weight for the time being of any axle of any heavy motor vehicle or trailer drawn thereby exceeds the registered or marked axle-weight of that axle he may or

the axle-weight for the time being of any such axle to be ascertained.

The person driving or in charge of such motor vehicle shall to the best of his ability afford all such facilities as may reasonably be necessary for the purpose of ascertaing the axle-weight as aforesaid.

36. Registered weight to be printed in vehicle :—Unless he declines, in accordance with rule 34, to register heavy motor vehicle, the registering authority shall proceed in accordance with rule 4 above and, upon receiving the certificate in Form C, the owner of the motor vehicle shall cause.—

(*a*) the highest rate of speed at which, in conformity with the rules, the heavy motor vehicle may be driven,

(*b*) the registered weight of the heavy motor vehicle unladen, and

(*c*) the registered axle-weight of each axle.

to be painted or otherwise plainly marked in letters not less than one inch in height, and in such a manner as to be legible at a reasonable distance, upon some conspicuous part of the left or near side of such heavy motor vehicle in the case of (*a*), and in the case of (*b*) and (*c*) of the right or offside.

37. Conditions for the use of heavy motor vehicles:—No person shall cause or permit a heavy motor vehicle to stand or be used in a public place or shall drive or have charge of a motor vehicle when so used unless the following conditions are satisfied :—

(1) (*i*) The axle-weight of any axle of a heavy motor vehicle shall not exceed the registered axle-weight.

(*ii*) The registered axle-weight of any axle of a heavy motor vehicle shall not exceed eight tons and the axle-weight of a trailer shall not exceed four tons.

(*iii*) The sum of the registered axle-weight of all the axles of a heavy motor vehicles shall not exceed twelve tons.

(2) The tyres of each wheel of a heavy motor vehicle unless the tyres are pneumatic or made of a soft or elastic material, shall be smooth, and shall, where tyre touches the surface of the road or other base whereon the heavy motor vehicle moves or rests, be flat: provided that the edges of the tyre may be levelled or rounded to the extent in the case of each edge of not more than half an inch ;

Provided also that—

(f) if the tyre is constructed of separate plates the Plates may be separated by parrallel spaces which shall be disposed throughout the outer surface of the tyre so that or nowhere shall the aggregate extent of the space or spaces in the course of a straight line drawn horizontally across the circumference of the wheel exceed one-eighth part of the width of the tyre;

(ii) the driving wheels of a heavy motor vehicle shall be cylindrical and smooth-soled or shod with diagnal cross-bars of not less than three inches in width nor more than three quarters of an inch in thickness, extending the full breadth of the tyre, and the space intervening between each such cross-bar shall not exceed three inches;

(3) the width of the tyre of each wheel of a heavy motor vehicle shall be determined by such of the following conditions as may apply to the circumstances of the case; that is to say—

(a) the width shall in every case be not not less than five inches;

(b) the width shall be not less than that number of half inches which is equal to the number of units of registered axle-weight of the axle to which the wheel is attached.

The unit of registered axle-weight shall vary according to the diameter of the wheel, and the rules set forth in the subjoined scale; that is to say—

(i) if the wheel is three feet in diameter the unit of or registered axle-weight shall be 7½ cwts.

(ii) if the wheel exceed three feet in diameter the unit of registered axle-weight shall be 7½ cwts. with an addition of weight in the proportion of one hundred-weight for every 12 inches by which the diameter is increased beyond three feet; and in the same proportion for any increase which is greater or less than 12 inches.

(iii) if the wheel is less than three feet in diameter, the unit of registered axle-weight shall be 7½ cwts. with an deduction of weight in the proportion of one hundrod-weight for every six inches by which the diameter is reduced below three feet, and in the same proportion for any reduction which is greater or less than six inches.

Provided that this clause shall not apply to any tyre which is pneumatic or which is made of a soft or elastic meterial.

(4) The diameter of a wheel of a heavy motor vehicle if the wheel is fitted with a tyre which is not pneumatic or is not made of a soft or elastic material, shall be not less than two feet.

(5) A heavy motor vehicle shall, when measured between its extreme projecting points, be of a width not exceeding seven feet six inches, and no heavy motor vehicle or train made up of a motor vehicle with one or more trailers attached to it shall be used in any public place if such motor vehicle or train exceeds 36 feet in length The height of a heavy motor vehicle when loaded and measured from the ground level to the highest point of the hood or load, whichever is higher, shall not exceed ten feet.

(6) The heavy motor vehicle shall be constructed with suitable and sufficient springs between each axle and frame of the heavy motor vehicle

38 **Opening of cylinder taps and blowing off of steam:**—The cylinder taps of a heavy motor vehicle propelled by steam shall not be opened within sight of any person driving, riding, leading or in charge of any horse upon the road or street, nor shall the steam be allowed to attain such a pressure as to exceed the limit fixed by the safety-valve so that no steam shall blow off when the vehicle is upon the road or street.

39. **Conditions of the use of trailers**:—No person shall haul, by means of a heavy motor vehicle, in any public place more than three trailers, at a time, nor any trailer, unless the following conditions are satisfied :—

(*i*) Each trailer shall satisfy the conditions laid down for heavy motor vehicles as to registered maximum axle-weight, tyre, width of tyres, size of wheels, width of vehicle and springs, save that, in the case of trailer, the registered minmum axle-weight shall not exceed four tons and that the maximum width of tire shall be three inches save in the case of trailers not exceeding one ton in weight unladen which shall be exempted from the prescribed requirements as to width of tyre:

(*ii*) each trailer attached to a heavy motor vehicle shall have a brake approved by the registering authority and each trailer shall carry upon it a person competent to apply the brake efficiently, provided that where the brakes upon the motor vehicle to which any trailer is attached are so constructed and arranged that neither of them can be used without bringing into action

simultaneously the brake attached to the trailer, or if the brakes of the trailers can be applied from the motor vehicle independently of the brakes of the latter, this rule shall not apply ;

(*iii*) the heavy motor vehicle shall not at the time be in use as a public conveyance.

40. **Driving on bridges** :—(*i*) Where any duly constituted authority affixes or sets up in suitable and conspicuous positions, on each approach to a bridge, forming part of a highway, notices stating the carrying capacity of the bridge which, as regards all their contents or subject-matter, are clearly and distinctly legible and visible by persons approaching the bridge, the owner of a heavy motor vehicle, the combined registered axle-weight of which exceeds the carrying capacity of the bridge as specified in the said notice, shall not cause or suffer the motor vehicle to be driven, and the person driving or in charge of the motor vehicle shall not drive the motor vehicle upon the bridge.

(*ii*) The owner of a heavy motor vehicle shall not cause or suffer the motor vehicle to be driven and the person driving or in charge of heavy motor vehicle shall not drive the motor vehicle, upon a bridge forming part of a highway at any time when another heavy motor vehicle is on the bridge, if the combined weights of the vehicles exceed the carrying capacity of the bridge.

41. **Speed limits** :—No person shall drive a heavy motor vehicle in any public place at a speed exceeding seven miles an hour:

Provided that—

(*a*) if the weight of the motor vehicle unladen exceed three tons, or

(*b*) if the registered axle-weight of any axle exceeds six tons, or

(*c*) if a trailer is attached to the heavy motor vehicle, the speed shall not exceed five miles an hour;

Provided also that—

if the heavy motor vehicle has all its wheels fitted with pneumatic tyres or with tyres of a soft or elastic material, the speed shall not exceed—

(*a*) twelve miles an hour, where the registered axle-weight of any axle does not exceed six tons,

(*b*) seven miles an hour, where such registered axle-weight exceeds six tons.

Form G.

Permit for the letting or plying for hire of motor vehicles, granted under rule 30 of the Madras Motor Vehicles Rules, 1923

I, the District Magistrate / the Commissioner of Police Madras, hereby permit within in the district / along the marginally noted roads the letting or plying for hire of the motor vehicle described below, belonging to residing at whose head office is at subject to any licence granted under section 166 of the Madras Local Boards Act.

(Here enter description of motor vehicle)

Conditions.

(1) This permit is granted subject to the provisions of the Indian Motor Vehicles Act, 1914, and the rules made under section 11 thereof. It shall be in force for a period of twelve months from this date.

(1-A) The conditions in the 'G' permit shall be applicable to motor vehicles even when they are used for private purposes. *Vide* notification No. 625 dated 20-8-1926.

(2) Not more than passengers, in addition to the driver and conductor, shall be carried in the vehicle with luggage not exceeding in all lbs, but in place of each passenger short of the prescribed maximum, goods or luggage to the weight of lbs, may be carried. Not more than one person shall be allowed to sit by the side of the driver in a bus having seating accomodation for ten or twelve persons. In a larger bus, *i.e.*, a bus intended to seat more than twelve persons, not more than two persons shall be allowed to sit by the side of the driver. No person shall be allowed to sit on the right or left of the driver according as the steering wheel is to the right or left of the vehicle. A conductor shall always be allowed a seat in the vehicle, *vide* No. 684 dated 4-9-1926.

(2-A) No driver or conductor of a motor vehicle when the vehicle has been duly licensed and is either waiting or plying for hire shall, without reasonable excuse, refuse to accept a fare from any person tendering it, provided that the

conductor shall stop issue of tickets when the maximum number of passengers the vehicle is allowed to carry, has been reached.

(3) The permit shall be carried by the driver of the car whenever the vehicle is in motion and the number of persons and weight of luggage specified in condition (2) shall be painted on a conspicuous part of the vehicle.

(4) The owner of the vehicle, if it be a motor bus, shall arrange for its examination once in every six months by a person approved by the District Magistrate or the Commissioner of Police as to its structural strength, conditions and running order generally, and his certificates as to its fitness for use on the road should be submitted by the owner to the District Magistrate or the Commissioner of Police as the case may be. The vehicle shall not be let or ply for hire for a period exceeding six months without its being examined and certified in the manner specified above.

(5) The vehicle shall at all times be open to inspection by (i) any magistrate of or above the second-class or (ii) any police officer not below the rank of Inspector of Police. If any such officer considers the vehicle to be unfit for use on the road he shall record his reasons in writing and shall comunicate them to the owner as well as to the District Magistrate or the Commissioner of Police as the case may be. The vehicle shall not then be let or ply for hire without the special permission of the District Magistrate or the Commissioner of Police as the case may be until a certificate as to its fitness has been produced from a person approved by the authority

(6) This permit may be cancelled by the District Magistrate or the Commissioner of Police for any breach of its conditions or for any infringement of the provisions of any Act, or of any rule having the force of law. When any permit has been cancelled the holder thereof shall forthwith return it to the officer who issued it.

(7) The vehicle shall be driven only by a pereon certified by the licensing authority to be competent to drive the particular vehicle.

(8) The weight of the vehicle, when fully loaded, shall in no case exceed six tons.

(9) The speed at which the vehicle may be driven shall be subject to the following conditions:—

(Here enter conditions.)

(10) "In the case of transfer of ownership or of possession whether temporary or otherwise of a motor vehicle, the registered

owner shall, along with his report under rule 6, forward the permit for being endorsed by the licensing authority to the transferee." *Vide* Notification No. 867 dated 14-12-1925.

Note 1.—For the purposes of these conditions, a motor bus shall be taken to mean a motor vehicle which is let or plies for hire and has seating accommodation for eight or more passengers including the driver.

Note 2.—Condition (4) is applicable only to motor buses whereas condition (5) applies to motor vehicles of all kinds.

In the case of a motor bus, however, the inspections contemplated by *condition (5) should be carried out monthly*, the object being to verify at short intervals the general fitness of the vehicles for use on public roads. The inspection coming under condition (5) are supplemental to, but distinct from, the statutory examination which under condition (4) must be carried out once in every six months for the purpose of scrutinizing the structural strength, condition and general running order of a motor bus.

NOTE.—While issuing permits in the case of motor lorries conditions (2) and (3) must be altered suitably so as to indicate the maximum load that could be carried by them in addition to the driver and conductor. The half-yearly inspection laid down by condition (4) should not be insisted upon in the case of motor lorries.

Station *District Magistrate,* *District*

Date *Commissioner of Police, Madras.*

SCHEDULE A.

Mysore, Pudukkottai, Baroda. Benares.	Civil and Military Station, Bangalore Secunderabad. Cantonment.	Hyderabad Residency Bazaars. Travancore. Cochin.	Bharatpur. Band and Nilgiri States. Hyderabad. Kashmir. Feudatory States of Bamra and Gangpur.

SCHEDULE B.

Mysore. Pudukkottai. Baroda. Banares.	Civil and Military Station, Bangalore. Travancore.	Cochin. Bharatpur. Band and Nilgiri States.	Hyderabad. Kashmir. Feudatory States of Bamra and Gangpur.

CHAPTER V.

The United Provinces Motor Vehicles Rules, 1928

Part I.—Preliminary.

1 **Short title**:—These rules may be called the United Provinces Motor Vehicles Rules, 1928

2. **Extent**:—They shall extend to the whole of the United Provinces of Agra and Oudh, and they come into force on March 1, 1928.

3 **Definitions**:—In these rules-

(*a*) the Act means the Indian Motor Vehicles Act, 1914 (ACT VIII of 1914);

(*b*) 'axle-weight'—means, in relation to an axle of a heavy motor vehicle or of a trailer, the aggregate weight transmitted to the surface of the road or other base whereon the heavy motor vehicle or the trailer moves or rests by the several wheels attached to that axle when the heavy motor vehicle or trailer is loaded;

(*c*) 'diameter' of wheel means the diameter measured between the two opposite points on the outer surface of the tyre which are farthest apart;

(*d*) 'hill road' means any road which has been declared by the Local Government by notification in the gazette to be a hill road;

(*e*) 'heavy motor vehicle' means a motor vehicle exceeding two tons in weight unladen;

(*f*) 'light motor vehicle' includes every motor vehicle not being a heavy motor vehicle,

(*g*) 'public motor vehicle' means a vehicle which is let for hire, or which stands or plies for hire in any public place and 'private motor vehicle' includes any motor vehicle which is not a public motor vehicle;

(*h*) 'motor bus' means a public motor vehicle which is used for the carriage of passengers and light personal luggage, and which has seating accommodation for eight or more persons, including the driver;

Note.—Light personal luggage means luggage not exceeding in weight ten seers for each

(*i*) 'motor lorry' means a public motor vehicle for the carriage of goods, or goods and passengers;

(*j*) 'motor cab' means a public motor vehicle other than a motor bus, motor lorry or motor cycle ;

(*k*) 'motor cycle' means a self-propelled vehicle running on not more than three wheels and weighing not more than 5 cwts.;

(*l*) night means the period which begins half an hour after sunset and ends half an hour before sunrise.

(*m*) number in reference to the number assigned to a motor vehicle, includes letters, figures and marks;

(*n*) 'person incharge of a motor vehicle' includes the owner of the vehicle when in or with the vehicle in a public place;

(*o*) 'registering authority' means the superintendent of police, or an assistant or deputy superinten dent or inspector of police authorized by the superintendent of police to perform the duties of the registering authority under these rules ;

(*p*) 'side car' means a carrier attachment to the side of a motor cycle ;

(*q*) 'tractor' means a mechanically or electrically-propelled engine which draws, but does not itself carry a load except such as is necessary for its propulsion and equipment;

(*r*) 'trailer' means any vehicle (other than a side car) drawn by a motor vehicle ;

(*s*) 'weight,' when used in relation to a heavy motor vehicle or a trailer means :—

(*i*) when the vehicle or trailer is unladen, the weight of the vehicle, including all parts, equipments, stores, fuel, water and accumulators which are necessary for, or are ordinarily used with, the vehicle or trailer when working: provided that where alternative parts or bodies are used, the heaviest shall be taken for the purpose of calculating the weight and ;

(*ii*) when the vehicle or trailer is laden, its weight when unladen plus its full lawful load, including the weight of the driver and the attendant ;

(*iii*) 'width' of the tyre of a wheel means the distance measured horizontally and in a straight line across

the circumference of the wheel and between the two points on the outer surface of the tire which are farthest apart.

PART II.—RULES APPLICABLE TO ALL MOTOR VEHICLES

Registration and notice of transfer.

4. **Registration**:—Every motor vehicle shall be registered under these rules.

5. **Vehicles not to be driven unless registered**:—No person shall drive or have charge of, or permit any other person to drive or have charge of a motor vehicle in a public place, unless it has been registered as provided by these rules and the registration is in force.

6. **Period of Registration**:—The period for which the registration of a motor vehicle shall remain in force shall ordinarily be twelve months, but every registration shall expire on December 31 of the year in which the registration was made:

Provided that the registration of any motor vehicle duly registered under the United Provinces Motor Vehicles Rules, 1924, shall be deemed to be in force up to the expiry of three months after the coming into force of these rules.

7. **Registration outside United Provinces**:—Notwithstanding anything in rules 4 to 6 a certificate of registration granted under any enactment for the time being in force in any part of British India other than the United Provinces or in any State in India specified in Schedule H shall be deemed to be in force in the United Provinces until the date of expiry of such certificate, or, if no date of expiry is fixed, until December 31 of the year in which the motor vehicle in respect of which such certificate was granted entered the United Provinces.

8. **Application for registration**:—Every application for registration shall contain the particulars specified in Schedule A.

9. **Matters upon which registering authority must be satisfied**:—The registering authority shall satisfy himself—

(a) that the motor vehicle has two independent brakes good working order and of such efficiency that application of either will promptly stop the vehicl

(i) 'motor lorry' means a public motor vehicle for the carriage of goods, or goods and passengers;

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(l) night means the period which begins half an hour after sunset and ends half an hour before sunrise.

(m) number in reference to the number assigned to a motor vehicle, includes letters, figures and marks;

(n) 'person incharge of a motor vehicle' includes the owner of the vehicle when in or with the vehicle in a public place;

(o) 'registering authority' means the superintendent of police, or an assistant or deputy superinten dent or inspector of police authorized by the superintendent of police to perform the duties of the registering authority under these rules ;

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(r) 'trailer' means any vehicle (other than a side car) drawn by a motor vehicle ;

(s) 'weight,' when used in relation to a heavy motor vehicle or a trailer means :—

(i) when the vehicle or trailer is unladen, the weight of the vehicle, including all parts, equipments, stores, fuel, water and accumulators which are necessary for, or are ordinarily used with, the vehicle or trailer when working: provided that where alternative parts or bodies are used, the heaviest shall be taken for the purpose of calculating the weight and ;

(ii) when the vehicle or trailer is laden, its weight when unladen plus its full lawful load, including the weight of the driver and the attendant;

(iii) 'width' of the tyre of a wheel means the distance measured horizontally and in a straight line across

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8. **Application for registration**:—Every application for registration shall contain the particulars specified in Schedule A.

9. **Matters upon which registering authority must be satisfied**:—The registering authority shall satisfy himself—

(a) that the motor vehicle has two independent brakes good working order and of such efficiency application of either will promptly stop the vehicle;

(*b*) that the motor vehicle and its fittings are in such condition as not to be likely to cause danger to any person or property;

(*c*) that the motor vehicle is provided with the horn and lamps necessary for compliance with rules 24 and 25.

10. **Issue of certificates of registration and cards**:—If the [illegible] as provided in rule 9 he shall [illegible] and a registration card to the owner of the motor vehicle.

11. **Form of certificates and card; their production on demand**:—Certificates of registration and registration cards shall be in the forms provided in Schedule B and C, and shall be signed by the registering authority or by a person duly authorized by him in this behalf, and the owner of the vehicle in respect of which a certificate of registration has been issued shall be bound to produce the certificate when required so to do by the registering authority.

12. **Assignment of numbers**:—The registering authority shall assign to every motor vehicle at the time of registration a distinguishing number, and shall record the name and address of the owner.

13. **Registration fees for private vehicles**:—The fees payable for registration of private motor vehicles shall be—

(*a*) for a heavy motor vehicle Rs. 60.

(*b*) for a light motor vehicle other than a motor cycle Rs. 30.

(*c*) for a motor cycle Rs. 10.

14. **Renewal of registration**:—No fee shall be payable for the renewal of registration of a private motor vehicle: provided that if the application for the renewal of registration of a private motor vehicle be received by the registering authority more than one calendar month after the expiry of the period for which the previous registration was in force, a fee amounting to half the fee payable for the registration of such vehicle shall become payable, unless there was, in the opinion of the registering authority, a reasonable cause for the delay in making the application.

15. **Duplicate certificates and cards**:—On sufficient cause being shown, the registering authority may at any time grant a duplicate certificate of registration or registration card on payment

of a fee of Rs. 2. Such certificate or card shall be marked with the word "duplicate" written in red ink across the certificate.

16. **Report of transfers of ownership** --Every transfer of ownership of a motor vehicle shall be reported to the nearest registering authority by the registered owner and also by the transferee within fourteen days of the transfer. The transferee shall at the time of making such report submit the certificate of registration of the said motor vehicle to the said registering authority, who shall, if he is satisfied that the transfer has taken place, substitute the name of the transferee for that of the owner in the certificate and return the same to the transferee

17. **Assignment of general numbers**.—Upon an application by a manufacturer of or dealer in motor vehicles the registering authority may assign to such manufacturer or dealer a general number which may be used upon any motor vehicle in his possession when driven solely for purposes of trial or instruction. A general number shall not be used after the expiry of a period of twelve months from the date of issue, unless it has been renewed for a further period of twelve months A fee of Rs 30 shall be payable upon the issue of a general number and upon each occasion when it is renewed.

18. **Suspension of registration** :--If the registering authority has at any time reason to believe that a motor vehicle is not being maintained in such a condition as to prevent danger to the public, or, in the case of a heavy motor vehicle or public motor vehicle, that the owner has ceased to comply with any rule applying to such vehicle, he may, after giving the owner an opportunity of making any representation which he may wish to make, suspend the regisration of the motor vehicle for the whole or any part of the remaining term of registration; and in such case the owner shall, at the demand of the registering authority, surrender the certificate of registration and registration card. An appeal shall lie to the district magistrate from any order passed by the registering authority under this rule

19. **Cancellation of general number** :—The registering authority may at any time cancel a general number issued under the provisions of rule 17, if it proved to his satisfaction that the dealer or manufacturer to whom such general number was issued has used it for any purpose not authorized by rule 17 : provided that no order shall be made under this rule until the registering authority has given the said dealer or manufacturer an opportunity of making any representation which he may wish to make. An appeal shall lie to the district magistrate from any order passe by the registering authority under this rule,

Conditions of driving.

20. Conditions of driving :—No person shall drive or have charge of, or permit any other person to drive or have charge of, a motor vehicle in a public place unless the provisions of rules 21, 22, 24, 25, 26, 36 and 41 are duly observed.

21. Position of registration card:—The registration card shall be kept in such condition as to be easily legible and shall be carried on the motor vehicle in a conspicuous position on the near side of the vehicle.

22. Side and position of numbers :—The numbers assigned to a motor vehicle shall be shown in white figures and letters of uniform size on a black ground in the case of private motor vehicles and on the red ground in the case of public motor vehicles and shall be printed on a flat plate which shall be rigidly affixed on the front of the vehicle. The number shall be similarly printed on a flat surface on the back of the vehicle, which for this purpose shall include a trailer, or on a plate affixed to the back of the vehicle or trailer. In every case the number shall be so printed and affixed as to be easily discernible at a reasonable distance and shall be of not less than the following dimensions, namely :-

Figures, 3½ inches high, composed of strokes ¾ inch thick.

Letters, 2½ inches high, composed of strokes ½ inch thick.

A space of ½ inch shall be left between each figure or letter and the next, and a margin of ½ inch at the top, bottom and sides of the plate:

Provided that in the case of a motor-cycle the figures, letters, spaces and margins shall be not less than half the above dimensions.

23. General number register :—In cases where a general number issued under rule 17 is used, the dealer or manufacturer to whom the number has been assigned shall maintain a register showing the number of vehicles for which the general number is used and assigning a serial number to each such vehicle, and shall mark every such vehicle both with the general number and with its serial number printed on a flat plate on a yellow ground.

The register shall further contain the following particulars ;

(a) the date on which and the hour at which the vehicle leaves the premises, and the serial number which it bears;

(b) the name of the person incharge of the vehicle on each occasion on which it leaves the premises;

(c) the purpose for which the vehicle leaves the premises and the hour at which it returns.

The dealer or manufacturer shall allow any police officer of or above the rank of sub-inspector to inspect the register on being required by him to do so.

24. **Horns** :—Every motor vehicle shall be furnished with a deeped-toned horn or other instrument capable of giving audible and sufficient warning of the approach of the vehicle provided that in the case of a motor-cycle that horn shall have a high-pitched tone. The driver shall sound the horn whenever necessary to prevent danger to the public.

25. **Lights of vehicle when driven** :—A motor vehicle shall not be driven at night unless it is provided with lights as follows :—

(1) In the case of a motor-cycle—

(a) one lamp in front of the motor vehicle showing a white light in front, and so placed as to illuminate the number plate and render the number easily distinguishable;

(b) one rear lamp exhibiting a red light in the opposite direction to that in which the motor cycle is *traveling* ;

(c) when a side car is attached to the motor cycle, the side car shall also carry a white light showing to the front.

(2) In the case of vehicles other than motor cycles—

(a) a lamp each side of the front portion of the vehicle showing a white light in front.

(b) a lamp showing a red light at the rear and a white light at the side affixed at the back of the vehicle in such a manner that the white light illuminates the number plate and render the number easily distinguishable.

(3) In all cases—

(a) head lights shall be sufficiently powerful to illuminate the road in front of the veh r a reasonable distance ;

(b) if powerful head lights are used, they shall be screened in such manner as shall prevent them from being a cause of danger or inconvenience to the public.

26. **Light of vehicles when standing** :—The driver of motor vehicles shall not allow the vehicle to stand in a public place at night unless it is provided with lights of the kind specified in rules 25 (1) (c) or 25 (2) (b), as the case may be, unless the said public place is so brightly illuminated as to make the vehicle and its number clearly discernible.

27. **Rule of road** :—A motor vehicle shall be driven on the left side of the road, except when passing other vehicles travelling in the same direction, when it shall pass on the right-hand side of such vehicles: provided that this rule shall not apply to passing a tram-car

28. **Slower vehicle to give way** :—The driver of a motor vehicle shall, so far as may be possible make way for a vehicle which is travelling faster than his own vehicle.

29. **Signals when turning and stopping** :—When about to turn to the right into another street the driver shall hold out his right hand horizontally to the right of his vehicle. When about to stop he shall raise his hand vertically in such a manner that it can be seen by the driver of any vehicle, which may be behind him.

30. **Turning from side to main roads** :—A motor vehicle entering a main road from a side road shall enter the main road slowly, sound the horn, and give way to any vehicle that may be passing in the main road When two roads meet, and it is doubtful which of the two is the main road, the driver of a vehicle shall give way to any vehicle which is approaching on his right.

31. **Obedience to police officer's direction**.—The driver of a motor vehicle shall obey all directions given, whether by signal or otherwise, by a police officer stationed at any place for the purpose of controlling traffic.

32. **Accidents**.—On the occurrence of any accident the driver and the person in charge of any motor vehicle concerned in the accident shall, if any person is injured, render to such person all such assistance as may be reasonably necessary, and shall, if there be no police officer present, report the accident without delay at the nearest police station.

33. **Prohibition of traffic obstruction**. The driver of a motor vehicle shall not permit the vehicle to stand in a public

place in such manner as to obstruct traffic, except, for purposes of ensuring safety

34. **Charge of standing vehicle.**--The driver of a motor vehicle shall not permit the vehicle to stand in a public place unattended by a person who holds a driving licence issued under these rules or any rules for the time being in force unless reasonable precautions have been taken to ensure that the vehicle connot be put in motion unintentionally in the absence of the driver

35. **Behaviour of drivers of motor vehicles while in charge of such vehicles**--No driver of a motor vehicle shall, while in charge of such vehicles, be drunk or behave in a disorderly manner

36. **Silencers.**—No motor vehicles shall carry any cut-out fitting or device which will allow exhaust gas from the engine to escape into the atmosphere without first passing through a silencer, expansion chamber or other contrivance adequate to reduce the noise or the escaping gas so far as may be reasonably practicable

37. **Smoke and vapour**—No person shall cause or permit the emission of smoke or vapour from a motor vehicle in such a manner as to cause danger or annoyance to the public.

38. **Speed limits.**—(1) Subject to any rules which the registering authority may make for any specified area, a local authority having jurisdiction in any area may indicate by means of notice boards within such area, maximum speed at which motor vehicle which may be driven therein, and no motor vehicle shall be driven within such area at a speed exceeding such maximum speed: provided that in no case shall a motor vehicle be driven within the limits of any municipality or cantonment at a speed exceeding 25 miles an hour.

(2) No heavy motor vehicle shall be driven at a speed exceeding fifteen miles an hour: provided that if the weight of the motor vehicle when laden exceeds six tons, or if a trailer is attached to it, or if any of the wheels of the vehicle are fitted with a non-resilient tyre, the speed shall not exceed ten miles an hour.

39. **Prohibition of towing of cycles.**—The driver or person in charge of a motor vehicle shall not cause or permit any person riding a cycle to be towed or drawn along by the vehicle.

40. **Passengers on motor cycle.**—The driver of a motor cycle shall not carry any person on the motor cycle except o

a pillion seat constructed for the purpose and approved by the registering authority.

41. **Left hand steering control.**—A motor vehicle with left hand steering control shall be furnished with a mechanical signalling apparatus of a pattern approved by the registering authority and such as to indicate to following traffic the driver's intention of turning to the right or of stopping the vehicle, and this apparatus shall be affixed to the right hand side the vehicle: provided that a motor vehicle of the kind specified in this rule, which has been registered before the date upon which these rules come into force, shall not be required to be furnished with such apparatus until the expiry of six months from such date.

42. **Orders for special circumstances.**—The registering authority may make orders prescribing the conditions under which motor vehicles may be driven or allowed to stand in any public place where special circumstances, such as the existence of a bridge, the work of road-mending or a liability to exceptional congestion, in his opinion, render special orders necessary. Such order shall be published by means of notice boards at or near to the public place at which they are in force:

Provided that for temporary purposes only the registering authority may delegate the power to make orders under this rule to such person as he may think fit!

Provided further, that the registering authority shall not make any order under this rule so as to apply to any area within which there is any authority empowered by any law or rule for the time being in force to make rules or orders for the regulation and control of traffic within such area, unless such authority has, in the opinion of the registering authority, failed to make such rule or order as is sufficient to prevent danger and inconvenience to the public with respect to the conditions under which motor vehicles shall be driven or allowed to stand in such area.

Any driver or person in charge of a motor vehicle who contravenes any order made under this rule shall be deemed to have contravened the provisions of the rule.

43. **Notice boards.**—The registering authority may, in any public place, cause sign boards or notice boards to be exhibited or marks to be made on the surface of the road for the purpose of controlling motor vehicles, and may also cause islands or refuges of such character as he may consider appropriate to be erected for the purpose of facilitating the crossing of the road

by the public provided that no such island or refuge shall be erected without the consent of the local authority having jurisdiction on such public place, if the erection entails breaking the road surface.

44. **Power to demand information from owner.**--The registering authority may, at any time, require the owner of any motor vehicle to furnish him with any information which is in his possession as to the person who was incharge of or was driving the motor vehicle on any specified occasion or number of occasions, and the owner shall be bound to supply such information to the best of his ability.

Driving licences

45. **Classification of driving licences**--Driving licences shall be licences for driving--

(a) heavy motor vehicles generally, or

(b) light motor vehicles generally, or

(c) motor cycles :

Provided that the registering authority may endorse a licence for driving motor-cycles so as to make it valid for driving other light motor vehicles also, if he is satified that the holder of the licence is competent to drive such vehicles and for such endorsement no fee shall be payable.

46 **Duration of driving licences.**—A driving licence shall remain in force for a period of twelve months, unless it be suspended by a competent authority under the Act or these rules. Upon the expiry of the said period renewal of the licence shall be necessary . provided that all licences duly issued under the United Provinces Motor Vehicles Rules, 1924 and in force on the date on which these rules come into force shall, unless so suspended, be deemed to be in force for the period for which they were granted.

47. **Extent of validity of driving licences.**--Driving licences granted under these rules shall be valid throughout British India, subject to such conditions and restrictions as may be imposed by the Governor-General in Council under section 9 of the Act.

48 **Applications for driving licences.**--Every application for a driving licence shall contain the particulars specified in Schedule D, and every application for the renewal of a driving licence shall be accompanied by the licence which is sought to be renewed

49. Driving tests.—Before issuing a driving licence, which shall be in the form provided in Schedule E, the registering authority shall satisfy himself that the applicant is competent to drive a motor vehicle of the class with respect to which the application is made, and may require him to submit to a driving test; and, before renewing a driving licence, the registering authority may, if he thinks fit, require the applicant for renewal to submit to a further driving test.

50. Learners.—The provisions of rules 45 to 49 shall no apply to a person learning to drive: provided that no such person shall drive a motor vehicle unless there is beside him in such vehicle a person duly licensed to drive the vehicle; or, in the case of a person learning to drive a motor cycle, unless he is under the direct personal supervision of a person duly licensed to drive a motor cycle.

51. Fees for licences to drive private vehicles.—The fee payable for a licence to drive a private motor vehicle shall be Rs. 5 and the fee payable for the renewal of such a driving licence shall be Rs. 2.

52. Duplicate driving licence.—On sufficient cause being shown the registering authority may grant a duplicate driving licence clearly marked as such in red ink on payment of a fee of Re. 1.

53. Renewal of driving licences.—The registering authority shall not renew a driving licence presented to him for the purpose after the period for which it was in force has expired, unless in his opinion the holder of the licence had reasonable grounds for not presenting it for renewal before the expiry of such period. If the registering authority considers that such grounds do exist, he may renew the licence from any date which he considers reasonable: provided that no person shall be debarred from obtaining a fresh licence solely by reason of his former licence having expired without renewal.

54. *Government drivers.*—The driver of a motor vehicle owned by the United Provinces Government shall be entitled to a free driving licence which shall be issued by the registering authority on a form, stamped "For Government cars only," and shall not be available for driving any other vehicle.

55. *Suspension of driving licences.*—The registering authority may, for reasons to be recorded by him in writing suspend a driving licence for any portion of the period for which

it would otherwise remain in force on the ground that the holder of the licence —

(a) has been convicted of an offence under the Act or under any law for the time being in force arising out of the use of a motor vehicle, or

(b) is in the opinion of the registering authority unfit to drive a motor vehicle of the class for which the licence was issued without danger to the public, or

(c) habitually contravenes any provision of the Act or these rules

An appeal to the district magistrate shall lie from any order made by the registering authority under this rule.

56. **Endorsement of driving licence.**—Upon making an order under rule 55 the registering authority shall endorse the order upon the licence and shall sign the endorsement. If on appeal the district magistrate cancels or alters the order, he *shall alter* the endorsement accordingly and shall sign the alteration

57. **Trials and competitions.**—No person shall engage in any public place in any motor competition, reliability trial, display or exhibition in which more than five motor vehicles take part, unless the same has been sanctioned by the commissioner of the division.

58. **Method of payment of fees.**—All fees payable under these rules shall be paid in non-judicial stamps, or in cash, at the option of the person making the payment.

PART III.—RULES APPLICABLE TO HEAVY MOTOR VEHICLES.

59. **Axle-weights.**—The axle-weight of any axle of a motor vehicle shall not exceed 8 tons, and the axle-weight of any axle of a trailer shall not exceed 3 tons.

The sum of the axle-weights of all the axles of a heavy motor vehicle shall not exceed 12 tons, and of a trailer 5 tons ; provided that if a vehicle is the property of any local authority the sum of the axle-weights shall not exceed 16 tons

60. **Resilient tyres, when necessary.**—Every motor vehicle of more than 5 tons total weight when laden shall be fitted with resilient tyres on the driving wheels : provided that this rule shall not apply to tractors.

61. Condition as to tyres.—The tyres of each wheel of heavy motor vehicle or trailer, unless the tyres are pneumatic or made of a soft or elastic material, shall be smooth and shall where the tyre touches the road, be flat: provided the edges of the tires may be levelled or rounded to the extent, in the case of each edge, of not more than ½ inch; provided also that—

(*i*) if the tyre is constructed of several plates, the plates may be separated by parallel spaces which shall be disposed throughout the outer surface of the tyre, so that nowhere shall the aggregate extent of the space or spaces in the course of a straight line drawn horizontally across the circumference of the wheel exceed ⅛th part of the width of the tyre;

(*ii*) the driving wheels of a tractor shall be cylindrical and smooth soled or shod with diagonal cross-bars of not less than 3 inches in width nor more than ¾ inch in thickness extending the full breadth of the tyre, and the space intervening between such cross-bars shall not exceed 3 inches.

Explanation.—In cases where a heavy motor vehicle is fitted with tyres of a soft and elastic material, if the material becomes worn down to less than three-quarters of an inch of the rim of the wheel, the tyres shall be considered non-resilient.

62. Width of tyres.—(1) The width of the tyre of each wheel of a heavy motor vehicle or trailer shall be determined by such of the following conditions as may apply to the circumstances of the case:—

(*a*) the width shall in every case be not less than 5 inches or in the case of a trailer 3 inches;

(*b*) the width shall not be less than that number of half inches which is equal to the number of units of the axle-weight of the axle to which the wheel is attached.

The unit of axle-weight shall vary according to the diameter of the wheel and the rule set forth in the subjoined scale, that is—

(*i*) if the wheel is 3 feet in diameter, the unit of axle-weight shall be 7½ cwts.;

(*ii*) if the wheel exceeds 3 feet in diameter, the unit of axle-weight shall be 7½ cwts., with an addition

of weight in the proportion of 1 cwt. for every 12 inches when the width of the diameter is increased beyond 3 feet, and in the same proportion for any increase which is greater or less than 12 inches; and

(*iii*) if the wheel is less than 3 feet in diameter, the unit of axle-weight shall be 7½ cwts, with a deduction of weight in the proportion of 1 cwt. for every 6 inches by which the diameter is reduced below 3 feet, and in the same proportion for any reduction which is greater or less than 6 inches.

(2) This rule shall not apply to any tyre which is pneumatic or which is made of a soft or elastic material, or to trailers not exceeding 1 ton in weight unladen.

63. **Diameter of wheels.**—The diameter of a wheel of a heavy motor vehicle or trailer, if the wheel is fitted with a tyre which is not pneumatic or is not made of a soft or elastic material, shall be not less than 2 feet

64. **Width and length of vehicles.**—A heavy motor vehicle, or a trailer attached to a heavy motor vehicle, shall when measured between its extreme projecting points, be of a width not exceeding 7 feet to 6 inches, and no heavy motor vehicle or train made up of a heavy motor vehicle with one or more trailers attached shall be used in any public if such motor vehicle or train exceeds 75 feet in length.

65. **Springs**.—Every heavy motor vehicle or trailer shall be constructed with suitable and sufficient springs between each axle and the frame.

66 **Trailers**.—(1) Every trailer shall be registered as if it were a heavy motor vehicle; and the provisions of these rules relating to the registration of heavy motor vehicles shall, so far as may be, apply to the registration of trailers. The fee payable for registration of a trailer shall be Rs. 30.

(2) Every trailer attached to a heavy motor vehicle shall have a brake approved by the registering authority, and shall carry upon it a person competent to apply the brake efficiently

Provided that if the brakes upon the motor vehicle to which any trailer is attached are so constructed or arranged that neither of them can be used without bringing into action ... taneously the brake attache[illegible] the trailer, or if the brake of

trailer can be applied from the motor vehicle independenlty of the brakes of the motor vehicle, it shall not be necessary for any person to be carried on the trailer.

(3) No heavy motor vehicle shall be used in any public place with more than three trailers attached to it.

67. Precautions for vehicles propelled by steam.--No person in charge of a heavy motor vehicle propelled by steam shall open the cylinder taps in the proximity of any person riding, driving, leading, or in charge of, any horse, or allow the steam to attain a pressure exceeding that at which the safety valve is set to act.

68. Responsibility for condition of vehicle.—The owner of a heavy motor vehicle shall be responsible for maintaining the vehicle in such a condition as to comply with these rules and the driver of the vehicle shall be responsible if he drives the vehicle knowing that any of these rules are being contravened.

69. Application for registration.—Every application for registration of a heavy motor vehicle shall contain, in addition to particulars required by rule 8, the particulars specified in Schedule A.

70. Particulars to be registered—The registering authority shall enter in his register and on the certificate of registration of a heavy motor vehicle the following particulars.—

(*a*) the weight of the vehicle unladen,

(*b*) the axle-weight of each axle,

(*c*) the maximum load of the vehicle,

(*d*) the diameter of each wheel,

(*e*) the width and material of the tyre of each wheel

(*f*) the highest rate of speed at which the vehicle may be driven without a trailer.

71. Particulars to be marked on vehicles and trailers.—Upon receiving from the registering authority copies of the entries made in the register relating to a heavy motor vehicle or trailer, the owner shall cause to be printed or otherwise plainly marked on the vehicle or trailer in letters and figures not less than 1 inch in height, and in such a manner as to be legible at a reasonable distance—

(*a*) on the right or off-side of the vehicle or trailer,

(i) the weight of the vehicle when unladen,

(ii) the axle-weight of each axle,

(iii) the maximum load, and

(b) on the left or near side of the vehicle—

(i) the highest rate of speed at which the vehicle may be driven without a trailer, and

(ii) the owner's name and address.

72 **Attendants.**—The owner of a heavy motor vehicle shall appoint a responsible attendant who shall sit or stand at the back of the vehicle when it is in motion in order to give the driver warning of approaching traffic, and shall arrange that there shall be effective means of communication between such attendant and the driver, and no person shall drive a heavy motor vehicle unless such attendant is carried upon it and such arrangement has been made

73 **Mirrors.**—No person may drive a heavy motor vehicle unless it is provided with a mirror which will reflect approaching from the rear.

74. **Power to exempt from rules.**—The registering authority may exempt any private heavy motor vehicle from the provisions of rules 71 and 72 if he considers the application of such provisions to be unnecessary, and shall in such case note the exemption in his register and on the certificate of registration

PART IV.

RULES APPLICABLE TO PUBLIC MOTOR VEHICLES.

75. **Registration of public vehicles.**—A motor vehicle shall not be used as a public motor vehicle unless it has been registered as such

76. **Application for registration.**—Every application for the registration of a public motor vehicle shall contain the particulars specified in Schedule A.

77. **Registration fees for public vehicles.**—The fees payable for the registration of public motor vehicles shall be

	Rs.
(a) for a motor lorry	90
(b) for a motor bus, being a heavy motor vehicle	60
(c) for a motor cab, or a motor bus, being a light motor vehicle	30
(d) for a motor-cycle	

Provided that if the first registration of such vehicles is made for part of the year only, the fees payable shall be proportionate to the above fees for each quarter of the year for which registration is required.

78. **Renewal of registration**.—The fees specified in rule 77 shall be payable not only at the time of registration of a public motor vehicle, but also on each occasion upon which the registration of the vehicle is renewed : provided that if the application for the renewal of registration be received by the registering authority more than one calendar month after the expiry of the period for which the previous registration was in force, a fee amounting to double the fee payable for the registration of such public motor vehicle shall become payable, unless there was, in the opinion of the registering authority, a reasonable cause for the delay in making the application.

79. **Permits for public vehicles**.—The registering authority shall issue to the owner of a public motor vehicle, upon his application, a permit containing the following particulars :—

(*a*) the area within which or the route on which the vehicle may be driven ;

(*b*) the maximum number of passengers or weight of goods or the combined weight of goods and passengers which may be carried upon the vehicle.

Explanation.—For the purpose of determining the combined weight of goods and passengers the weight of a person shall be deemed to be 140 lbs.

The permit, which shall be in the form provided in Schedule F, shall be signed by the registering authority and shall be in force only within the area of jurisdiction of such authority : provided that it may be extended so as to be in force within the area of jurisdiction of another registering authority with the concurrence of that authority.

A permit shall be valid up to December 31 following the date of its issue, but may be rescinded by the registering authority for sufficient reasons at any time during the period of its validity.

The driver of a public motor vehicle shall be bound to produce the permit issued in respect of such vehicle when required to do so by any police officer of or above the rank of sub-inspector.

80. **Refusal of permits :** –If the registering authority is of opinion that a permit applied for under rule 79 should not be granted, he shall record the reasons for his opinion and shall refer the application to the district magistrate, who shall pass orders thereon, and in such a case the orders of the district magistrate shall be final

81 **Maximum load** --The registering authority shall fix the maximum number of passengers and the minimum weight of goods which may be carried on a public motor vehicle and shall enter such maximum number and maximum weight in the permit and these particulars shall be printed or painted on the vehicle in a conspicuous manner, and no person shall drive the vehicle or permit it to be driven with a number of passengers or a weight of goods exceeding the maximum so fixed, or without the particulars being so printed or painted.

82 **Route and destination of motor bus and name of owner to be exhibited.**--The owner of a motor bus shall cause to be exhibited on the vehicle the route of ultimate destination of the vehicle and the name of the owner

83 **Irregular carriage of passengers and goods:**--The driver on other person in charge of a public motor vehicle shall not permit any passenger to ride on the roof or running board of the vehicle or on any outside portion of the vehicle in such a way as a protrude to the danger of other traffic or persons on or beside the road, or permits goods to be so loaded

84 **Licences for driving public vehicles:**--Notwithstanding anything in rule 45, no person shall drive a public motor vehicle unless he has first obtained a licence for driving a public motor vehicle, which shall be in the special form provided in Schedule E.

r driving public vehicles
ive a public motor vehicle
in Schedule D, and shall be
accompanied by two photographs of the applicant.

86. **Driving tests.**--Before issuing a licence to drive a public motor vehicle the registering authority shall satisfy himself that the applicant is of good character and is competent to drive a public motor vehicle of the class with respect to which the application is made, and may require him to submit to a special driving test; and shall further require him to produce a medical certificate to his satisfaction in the form provided in Schedule G

87. Fees for licences for driving public vehicles:—The fee payable for a licence to drive a public motor vehicle shall be Rs. 10, and the fee payable for the renewal of such licence shall be Rs. 5.

88. Licences to be valid for driving private vehicles:—A licence for driving a public motor vehicle shall be valid for driving a private motor vehicle : provided that a licence for driving a light public motor vehicle only shall not be valid for driving a heavy motor vehicle.

89. Production of public vehicles for inspection:—The owner of a public motor vehicle shall be bound to produce the vehicle for inspection at any time when and at any place where he is required by the registering authority to do so.

90. Trailers attached to public vehicles:—A trailer shall not be attached to a public motor vehicle except with the written permission of the registering authority.

91. Schedule of fares:—The registering authority may fix the fares which may be charged for the hire of motor vehicles plying for hire, and the owner of any vehicle for which fares have been so fixed shall cause a schedule of such fares to be exhibited in a prominent place in or on the vehicle.

92. Prohibition of demand of excessive fare:—The driver of a public motor vehicle shall not demand a high fare than that which he is authorized to receive under any scale which may be laid down under rule 91.

93. Offences by drivers of public vehicles:—No driver of a public motor vehicle shall, and while in charge of such vehicle,—

(*a*) stand (elsewhere than at some stand or other place place appointed by the registering authority for purpose) or loiter for being hired in any place.

(*b*) wrongfully prevent, or attempt to prevent, the driver of any other motor vehicle from being hired.

(*c*) refuse, without good cause, to let his vehicle for hire on demand ;

(*d*) terminate the hiring before he has been discharged by the hirer.

94. Carriage of persons suffering from infectious diseases and corpses.—(1) The driver of a public motor vehicle shall not

knowingly receive for carriage a person suffering from any contagious or infectious disease, or a corpse, without the written permission of the registering authority

(2) If a public motor vehicle has been used for any such purpose as is specified in sub-section (1), it shall not again be used until it has been disinfected to the satisfaction of the registering authority. The cost of disinfection shall be borne by the owner of the vehicle

95. **Power of registering authority to fix places at which public motor vehicles will stand.**—In concurrence with local authority, the registering authority may determine places where public motor vehicles shall stand for hire at which they shall commence and terminate their journeys.

PART V.—RULES APPLICABLE TO HILL ROADS

96. **Driving at night on hill road.**—No person shall drive vehicle on a hill road at night unless authorized to do so by the registering authority :

Provided, first, that in case it becomes necessary, owing to accident, illness or any similar emergency, to drive a motor vehicle at night on a hill road for the purpose of obtaining assistance or for any similiar purpose, the driver shall, as soon as is reasonably possible, report to the nearest police station his name and number of the vehicle and the name of the owner, together with such other particulars as may be required of him by the officer in charge of the police station;

Provided, secondly, that if a motor vehicle breaks down on a hill road and the driver is unable to complete his journey before nightfall, he shall draw up the vehicle on the left side of the road and may there effect the necessary repair; after which he may continue his journey at a speed not exceeding ten miles an hour or not exceeding the maximum speed prescribed by these rules for the motor vehicle which he is driving, whichever is less; and in such case he shall further halt at the first police station or outpost which he reaches after nightfall and shall there report his name and the number of his vehicle and his reason for travelling after nightfall.

97 **Tyres of vehicles on hill road.**—No person shall drive a motor vehicle on a hill road unless it is fitted with resilient tyres on all the wheels, and in the case of the vehicles of mor than 6 tons weight laden with twin resilient tyres on the driv wheels ;

B.—Additional particulars in the case of heavy motor vehicles.

13. Weight unladen ____________________

14. Axle weight ____________________

15. Diameter of each wheel ____________________

C.—Additional particulars in the case of public motor vehicles

16. Motor bus, lorry or motor ____________________

17. Area within which the vehicle will ply . . . in the case of a motor cab).

18. Route on which the vehicle will ply ______ (in the case of a motor bus or a motor lorry)

19. Maximum number of passengers (see rule 89) if no goods carried ____________________ (exclusive of driver and attendant in case of a heavy motor vehicle).

20. Maximum combined weight of goods and passengers if both are carried ____________________ (see rule 81) in the case of a motor lorry (exclusive of driver, and attendant in the case of a heavy motor vehicle).

SCHEDULE B.

REGISTRATION CERTIFICATE.

(*Rules* 10 *and* 11.)

Name of vehicle ____________________
Name of owner ____________________
Address ____________________

11. This certificate is valid up to December 31, 193 .

Failure to renew the certificate in due time involves a liability to payment of half fees in the case of a private vehicle and of double fees in the case of a public vehicle—*vide* rules 14 and 78.

This certificate should be surrendered to the registering authority when the vehicle goes out of use.

DESCRIPTION OF VEHICLE

1. Kind of motor vehicle ______

2. Maker's name or name by which the motor vehicle is ordinarily known ______

3. Model of motor vehicle ______

4. Year of manufacture ______

5. Colour of body ______

6. Number of seats ______

7. Number on chassis ______

8. Number on engine ______

9. Maximum speed ______

10. Horse-power ______

11. Whether intended for—

(a) private use—

(b) use for trade purposes—

(c) use as a public motor vehicle—

ADDITIONAL FOR HEAVY MOTOR VEHICLES.

12. Weight unladen ______

13. Axle weight ______

14. Diameter of wheels ______

15. Width and material of tyres ______

16. Whether exempted from the provisions of rules 71 and 72 (*vide* rule 74).

Certified that the motor vehicle described herein has been examined and found fit for use

This number must always remain attached to the vehicle and must not be transferred to another vehicle. If ownership of the vehicle is transferred, the owner and the tranferee are bound by rule 16 to report the transfer.

This certificate should be handed over to the transferee when the vehicle is transferred.

______ 193 .

Signature of registering authority.

TRANSFERS.

Transferred to ______________________________

residing at __________________ on ______________________

Signature of registering authority.

SCHEDULE C. (REGISTRATION CARD.)

SCHEDULE D. (*Rule 48*).

Particulars to be given by applicant for licence to drive a motor vehicle.

SCHEDULE E. (DRIVING LICENCE.)

SCHEDULE F. (Rule 79).

Permit for a public Motor Vehicle.

SCHEDULE G. (Rule 86).

Form of medical certificate.

SCHEDULE H. (*See page .....*)

Indian States which have been granted reciprocity in matters of licensing and regisiration in accordance with paragraph 1 (b) of the Government of India's letter No. 1697-I.A., dated August 14, 1916.

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